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Report of the Working Group on the Universal Periodic Review*

Estonia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Estonia was held at the 4th meeting on 19 January 2016. The delegation of Estonia was headed by the Minister of Foreign Affairs, Marina Kaljurand. At its 10th meeting held on 22 January 2016, the Working Group adopted the report on Estonia.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Estonia: Burundi, Qatar and United Kingdom of Great Britain and Northern Ireland.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Estonia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/EST/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/EST/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/EST/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Mexico, the Netherlands, Norway, Spain, Sweden and the United Kingdom was transmitted to Estonia through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that the expansion of the space for human rights, democracy, rule of law and advancement of international law remained one of the priorities of the country's foreign policy. Estonia was a party to the core international human rights conventions and the majority of regional human rights treaties, and regularly submitted its reports on their implementation.

6. Estonia remained committed to protecting and promoting human rights and fundamental freedoms at the national and international level. It had issued a standing invitation to the special procedure mandate holders of the Human Rights Council to visit the country. Estonia would continue paying special attention to ensure the involvement and participation of civil society in the work of the Council.

7. The delegation reported on the active participation of Estonia in the work of the Human Rights Council during its membership of 2013–2015. The rights of women and children, consideration of the gender perspective in conflict situations, the fight against impunity, protection of the rights of indigenous peoples, freedom of expression, including on the Internet, and non-discrimination against lesbian, gay, bisexual, transgender and intersex persons were the focus of the work of Estonia during its membership of the Council.

8. Estonia considered the universal periodic review as an effective tool to promote human rights and to exchange best practices. Since its first review in 2011, Estonia had undertaken a coordinated effort to implement the recommendations and voluntary commitments. Estonia had implemented an overwhelming majority of the accepted recommendations, and a few of them remained in the process of implementation.

9. During the reporting period, Estonia engaged in continual cooperation with human rights bodies of the United Nations. It received several visits of the special rapporteurs of the Human Rights Council and submitted periodic reports to the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee against Torture and the Committee on the Rights of Persons with Disabilities, as well as its common core document in 2015. In addition, the Government maintained continuing dialogue and consultations with representatives of civil society on human rights issues.

10. The delegation expressed its gratitude to all States that had submitted advance questions. It continued its statement in order to provide a response to those questions. The protection of the rights of persons belonging to national minorities remained a priority of the Government. The Estonian population comprised over 190 nationalities, and minorities constituted approximately 31 percent of the population. Estonia had been implementing its national integration programmes since 2000. The new programme for the period 2014-2020, which had been developed by taking into account new developments in society, assessments of regular monitoring and the opinions of representatives of national minorities and experts had set three main objectives, including the provision of continuing support to long-term residents belonging to national minorities to integrate them into society. The Ministry of Culture, along with several other ministries, had been responsible for the realization of the national integration policy, encompassing different areas of life. The integration monitoring survey carried out in 2014 and 2015 indicated positive results of the integration efforts.

11. The delegation reported on the launch of a new Russian-language public television channel, targeting a Russian-speaking audience and aimed at providing objective information on daily life in Estonia and helping with the integration of the Russian-speaking population in the society. Furthermore, the provision of free courses on the Estonian language was envisaged in the integration strategy to enhance the command of the state language among minorities.

12. One of the priorities of the Government was to reduce the number of persons with undetermined citizenship. The amendments to the Citizenship Act were aimed at simplifying naturalization requirements and targeted especially the children of parents with undetermined citizenship, beneficiaries of international protection and older persons. The number of persons with undetermined citizenship had decreased due to the continual efforts of the Government.

13. Estonia complied with European Union legislation related to the regulations and requirements concerning determination of refugee status, as well as the provision of legal guarantees for them. In that respect, the 2016 legal amendments would further incorporate European Union legislation.

14. Estonia took steps to improve the living conditions of asylum seekers. In 2014, an accommodation centre for asylum seekers had been moved to a new location, which was closer to public services, including education institutions, the labour market and health-care services, than the previous one. Estonia took measures to ensure that the children of newly arrived migrants, refugees or asylum seekers received adequate education. The Estonian language immersion programme had proven effective; the children of refugees who had started school in autumn 2015 already had a good command of Estonian.

15. Estonia took steps to promote tolerance and cultural diversity. Incitement to hatred, violence or discrimination was criminalized. Further improvement of the Criminal Code was envisaged. Additionally, Estonia had been continually tackling those issues through education. The general education programme for the period 2016–2019 included specific activities on human rights. Estonia had also joined the "No hate speech" initiative of the Council of Europe.

16. The delegation expressed the commitment of Estonia to promoting gender equality. The empowerment of women and their equal rights remained one of the priorities of development cooperation of Estonia. The Government had adopted the second action plan for the period 2015-2019 on the implementation of Security Council resolution 1325 (2000) on women, peace and security to improve the situation of women in conflict areas.

17. Estonia was in the process of preparing its first action plan on equality policies, including gender equality, for the period 2016–2023 in order to promote the equal participation of women in decision-making at all levels. A set of activities in various areas was envisaged to reduce the pay gap. The Government had taken special measures to address gender stereotypes as a root cause of gender inequality in general, and the gender pay gap in particular. For example, in 2013 an awareness-raising campaign had been carried out to tackle gender stereotypes. The Gender Equality Act provided legal guarantees for equal treatment of men and women in vocational education and professional training opportunities. The Government paid special attention to ensuring equal employment opportunities for men and women in institutions of higher education. The mandate of the labour inspectorate was broadened to include scrutinizing the implementation of the legal requirement of equal pay.

18. Combating domestic violence, violence against women and trafficking in persons remained a priority. Thus, the Government continued to implement, inter alia, awareness-raising campaigns and provide training and seminars for the police, prosecutors and judges.

19. The Registered Partnership Act, which had entered into force in January 2016, legalized same-sex partnership. The adoption of relevant acts for its implementation was planned for 2016.

20. The Ombudsman for Children had been established in 2011, and its duties were assigned to the Chancellor of Justice. Estonia had initiated a process of establishing an independent monitoring mechanism to implement the provisions of the Convention on the Rights of Persons with Disabilities, right after becoming a party to the Convention. Estonia had taken measures to reform the social welfare framework for persons with disabilities and other vulnerable groups.

21. The establishment of a national human rights institution remained under consideration by the Government. No new institution might be established, given several objective factors. The Chancellor of Justice, which was an independent institution with a mandate to receive complains and oversee the application of international human rights norms in Estonia, had been covering most of the functions of such an institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the "Paris Principles").

B. Interactive dialogue and responses by the State under review

22. During the interactive dialogue, 73 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. The Dominican Republic noted the efforts of Estonia to adhere to the Convention on the Rights of Persons with Disabilities and promote the rights of women and gender equality, in particular an action plan on reducing the pay gap. It highlighted efforts to improve prison conditions and made recommendations.

24. Ecuador underscored the creation of institutions such as the Ombudsman for Children and the Gender Equality Council. Equal treatment of minorities remained a challenge. Ecuador expressed concern over the situation of persons with "undetermined citizenship". It made recommendations.

25. Egypt commended the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the creation of the Ombudsman for Children and efforts to combat trafficking in human beings. Egypt expressed concern about xenophobic and racist discourse in media and politics, the situation of Roma and racially motivated hate crimes, including against asylum seekers in Vao village. It made recommendations.

26. Finland noted with appreciation steps taken by Estonia to ensure the rights of children and welcomed a national strategy for Roma integration. It encouraged Estonia to adopt legislative measures and policies to provide protection against discrimination based on sexual orientation and gender identity. Finland made recommendations.

27. Morocco noted the legislative reforms regarding the rights to social security and adequate standards of living, and progress made in combating trafficking in persons. It noted with appreciation the endeavours of Estonia to protect the rights of children and measures taken to promote gender equality in education. Morocco made recommendations.

28. Georgia commended Estonia for becoming a party to several international conventions, its efforts in ensuring gender equality, the creation of the Ombudsman for Children and adoption of a child protection act. It encouraged Estonia to continue the practice of submitting midterm reports on the follow-up to the review. Georgia made recommendations.

29. Germany welcomed several steps taken to implement reforms to which Estonia had committed itself under the universal periodic review of 2011, while noting that some challenges remained. It made recommendations.

30. Ghana noted with appreciation steps taken by Estonia to establish a national human rights institute in accordance with the Paris Principles. It made recommendations.

31. Hungary welcomed the amendment to the Penal Code that included the definition of torture used in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It asked Estonia about further measures foreseen to effectively prevent trafficking in human beings. Hungary made recommendations.

32. Iceland commended Estonia for its efforts to better integrate ethnic and linguistic minorities. It encouraged the Government to accelerate its efforts to ensure a coherent framework for protection of persons belonging to the Russian-speaking linguistic minority. Iceland made recommendations.

33. Indonesia commended Estonia for the establishment of the Ombudsman for Children and the Gender Equality and Equal Treatment Commissioner, and for improvements to legislation in various fields, including education and trafficking in human beings. Indonesia made recommendations.

34. The Islamic Republic of Iran called on the Government to prepare a national strategy for the implementation of the Convention on the Rights of Persons with Disabilities. It expressed concern regarding discrimination against ethnic and religious minorities, and detainees. The Islamic Republic of Iran made recommendations.

35. Iraq acknowledged the accession of Estonia to various international human rights instruments and the important role that Estonia played during its membership of the Human Rights Council. Iraq made recommendations.

36. Ireland urged Estonia to implement fully the Registered Partnership Act and to consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It welcomed amendments to the Citizenship Act easing some requirements for naturalization. However, Ireland shared the concern of the Committee on Economic, Social and Cultural Rights regarding language barriers facing the Russian-speaking minority. It made recommendations.

37. Italy welcomed the creation of the Ombudsman for Children, the Gender Equality Council and an independent monitoring mechanism of the Committee on the Rights of Persons with Disabilities. Italy found the introduction of "I-voting" a very interesting tool to ensure the realization of rights not only offline but also online. Italy made recommendations.

38. Latvia noted positively the active involvement of Estonia in the work of the Human Rights Council. As a strong advocate of the universal ratification of the Rome Statute of the International Criminal Court, Latvia welcomed the leadership of Estonia in raising awareness of that issue in the Council. It made recommendations.

39. Libya noted positive developments since the first review of Estonia, including the standing invitation to the special procedure mandate holders of the Council and the adoption of the 2014 strategy on integration and social cohesion aimed at the effective participation of minority groups in society. Libya made recommendations.

40. Lithuania commended Estonia for the establishment of the Ombudsman for Children and the Gender Equality Council, the adoption of the Child Protection Act and the signing of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Lithuania made recommendations.

41. China noted the ratification of the Convention on the Rights of Persons with Disabilities and other instruments, the development of an action plan to prevent violence, the adoption of a law on the protection of children and the strengthening of efforts to combat trafficking in human beings. China made recommendations.

42. Mexico welcomed the establishment of the Ombudsman for Children and the Gender Equality Council. It commended Estonia for efforts to ensure the implementation of the Convention on the Rights of Persons with Disabilities. Mexico made recommendations.

43. Montenegro welcomed the adoption of the Registered Partnership Act and the new Child Protection Act. It noted that Estonia had approved an action plan to reduce the gender pay gap and asked the delegation to elaborate more on the results achieved. Montenegro made recommendations.

44. France commended the adoption of the Registered Partnership Act, which was a step forward in ensuring the rights of lesbian, gay, bisexual and transgender persons.

45. Namibia congratulated Estonia on the establishment of the Ombudsman for Children and the Gender Equality Council. It noted the welfare development plan for the period 2016–2023. Namibia encouraged Estonia to continue taking measures to implement an action plan to reduce the gender pay gap. It made recommendations.

46. The Netherlands commended Estonia for adopting the Registered Partnership Act, which granted legal protection to families regardless of their composition. It also noted the active role played by Estonia in the field of freedom of the media and the Internet. The Netherlands made recommendations.

47. The delegation stated that Estonia had been facing challenges related to an influx of migrants. In that context, the Government continued its efforts to tackle racism and xenophobia in society. Some public figures, including the President and the Chancellor of Justice, had taken a strong stance in the public discussion against hate speech and other forms of expression of racism and xenophobia. Due to public discussions, as well as the judgment of the European Court of Human Rights in *Delfi v. Estonia*, the acknowledgement by the media of its role and responsibilities in addressing the issue had been strengthened.

48. The Minister of Justice had held discussions and consultations with law enforcement authorities to address hate-motivated offences effectively. The Government worked constantly to improve the education system in order to tackle the manifestations of racism and xenophobia and build a human rights culture in the society.

49. Furthermore, the fight against racism and xenophobia and the integration of migrants remained at the centre of several policies, programmes and action plans. A special programme on migrants envisaged the provision of support to migrants to settle in the country. The new strategy on integration and social cohesion, entitled "Integrating Estonia 2020", addressed integration as a complex process, with an emphasis on preservation of ethnic identity and the cultures of minority groups and guarantees for their equal opportunity to participate in public life.

50. Incitement to hatred, violence or discrimination on various grounds was prohibited and punishable by law. The Minister of Justice had been drafting legal amendments to further improve the legislation on hate and racist crimes, including by incorporating racist and hate motives as aggravating circumstances. The 2015 amendments to the Criminal Code already envisaged punishment for organizations encouraging racial discrimination or violence.

51. In response to questions on prison conditions, the delegation reported that the living conditions of detainees had gradually improved owing to newly built or renovated detention facilities. The minimum requirement for living space was met at the new prisons of Viru and Tartu. The building of new premises of the Tallinn prison and detention centre had commenced. None of the old type of prison would remain by 2019, and thus all prisons would have been modernized to meet living condition standards.

52. Legal amendments prohibited overcrowding in prisons and stipulated the maximum number of prisoners each prison was permitted to accommodate. Several offences had been decriminalized and conditions for release on parole and probation had been made more flexible in 2015. Thus, the prison population was slowly decreasing due to targeted measures taken by the Government. Furthermore, the Government was carrying out a reform of the juvenile justice system to reduce the number of minors in the criminal justice system, which was already small, and ensure juveniles access to education.

53. The 2012 amendments to the Criminal Code had criminalized all elements of the specific crime of human trafficking in accordance with international law. In 2013, the Act on Victims Support had been supplemented with new provisions concerning victims of human trafficking and child victims of sexual abuse. The 2015 amendments to the Criminal Code stipulated more severe punishment for cases of domestic violence than those involving other form of violence. In 2015, Estonia had ratified the Council of Europe Convention on Action against Trafficking in Human Beings. In 2014, it had signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

54. Domestic violence, violence against women and trafficking in human beings remained a priority issue of the Government. A strategy for preventing violence for the period 2015-2020 put an emphasis on raising public awareness about those issues. Several training sessions and workshops for various sectors of society and professional groups,

including law enforcement agencies and judges, had been organized. By utilizing new communication and information technology, various projects had been carried out to combat trafficking in human beings.

55. Women victims of violence had been provided with State-funded shelters, covering the entire territory of Estonia and providing psychological, social and legal counselling.

56. The new development goals of Estonia were aimed at advancing the welfare and quality of life of children and their families. Among other measures, Estonia afforded generous parental benefits for the first 18 months of parental leave. However, that opportunity had mostly been used by women. Men comprised less than 10 per cent of parents who had applied for the parental leave, indicating that societal attitudes towards traditional gender roles prevailed. Nevertheless, the Government had and would continue to take measures to promote gender equality.

57. The new Child Protection Act had introduced a major reform in child protection by putting the interests of the child even further in the forefront and positioning the child as an equal member of society. The delegation reaffirmed the commitment of Estonia to ending corporal punishment and promoting positive parenting methods of child upbringing.

58. Estonia submitted its initial report to the Committee on the Rights of Persons with Disabilities in 2015. The Gender Equality and Equal Treatment Commissioner would be officially designated to fulfil the duties of the independent monitoring mechanism under the Convention. The Government had been working to ensure equal access by persons with disabilities to the labour market and the provision of community-based social services to promote independent living among persons with disabilities. The 2016 Social Welfare Act would also assist in that work.

59. Nicaragua emphasized the progress achieved by Estonia in the areas of social equality, the rights of women and labour rights. It welcomed the adoption of the strategy on integration and social cohesion. Nicaragua made recommendations.

60. Norway noted the remaining challenges in relation to non-Estonian residents, especially with regard to their socioeconomic conditions. It noted with appreciation improvements in the availability of Russian-language broadcasting, amendments to the Citizenship Act that addressed some of the problems of persons without citizenship, and the adoption of the Registered Partnership Act. Norway made recommendations.

61. Oman stated that it had closely reviewed the national report of Estonia. It made recommendations.

62. Pakistan commended Estonia for its legislation strengthening the protection of human rights and its ratification of international human rights instruments. Pakistan appreciated the special care development plan, the social integration strategy, inclusive education and the Roma integration strategy. It made recommendations.

63. Panama commended the measures adopted by Estonia to combat all forms of discrimination, trafficking in persons and violence against women. It was alarmed over growing attacks and racist and xenophobic incidents directed at specific groups of the population. Panama made recommendations.

64. The Philippines noted with appreciation the ratification of several international and regional human rights treaties, including the Convention on the Rights of Persons with Disabilities and its Optional Protocol. It welcomed the abolition of the death penalty and acknowledged policies and programmes of Estonia to combat trafficking in persons. The Philippines made recommendations.

65. Poland acknowledged the efforts of Estonia to comply with the recommendations accepted during the first review. Poland particularly appreciated the measures taken to

develop the institutional and legal framework for the protection of national minorities. Poland made recommendations.

66. Portugal welcomed the fact that, since its first review, Estonia had become party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Portugal commended that Estonia consider establishing a national institution for the protection of human rights. Portugal made recommendations.

67. The Republic of Korea welcomed the ratification of the Convention on the Rights of Persons with Disabilities, the establishment of the position of the Ombudsman for Children and the Gender Equality Council and the enactment of a new Child Protection Act in 2014. It made recommendations.

68. The Republic of Moldova noted the achievements of Estonia in ensuring freedom of expression, equality and the rights of women, children and minorities. It welcomed the amendments to the Criminal Code to bring the definition of torture into compliance with the Convention against Torture and encouraged Estonia to make declarations under articles 21 and 22 of that convention. The Republic of Moldova made a recommendation.

69. Romania welcomed the policy of trying to achieve the right balance in guaranteeing the rights of members of minority groups to use their language, on one the hand, and ensuring universal knowledge of the state official language, on the other. It made recommendations.

70. The Russian Federation was concerned about systematic violations of the rights of the non-titular population to use and be educated in their language and to work, and about discrimination against non-citizens regarding their political and economic rights. It made recommendations.

71. Serbia encouraged Estonia to continue strengthening the independent human rights institutions and consult widely with civil society with regard to improving the Equal Treatment Act. It made recommendations.

72. Singapore welcomed measures to combat domestic violence and violence against women and underscored the importance of the implementation of initiatives such as paid paternity leave and an action plan to reduce the gender pay gap. Singapore made recommendations.

73. Slovakia commended Estonia for strengthening the legal and institutional framework on human rights and welcomed the adoption of acts on citizenship and child protection. It noted efforts to improve the protection of vulnerable groups and the integration of asylum seekers, and promote the quality of life of older persons. Slovakia made recommendations.

74. Slovenia commended initiatives concerning the right to participate in public and political life, the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol and the simplification of naturalization requirements for several categories of people. It noted that the strict language requirements for employment in the public and private sectors could put ethnic minorities at a disadvantage. Slovenia made recommendations.

75. Spain highlighted the adoption of the Registered Partnership Act and the amendments made to the Citizenship Act, which had simplified many aspects of naturalization procedures for non-citizens. Spain made recommendations.

76. Sweden welcomed efforts to decrease the number of detainees in prisons and detention centres. New and modern prisons had been constructed. However, there was still room for improvement with regard to the conditions under which prisoners were held. Sweden made a recommendation.

77. Tajikistan welcomed efforts taken by Estonia to ensure the rights of children and older persons. It made recommendations.

78. The former Yugoslav Republic of Macedonia encouraged Estonia to intensify its efforts with regard to combating domestic violence and violence against women, including the adoption of amendments to the Penal Code to establish those acts as specific criminal offences. It requested information on the process of establishing a national human rights institution. It made a recommendation.

79. Turkey noted the amendments to the Citizenship Act that facilitated the acquisition of Estonian citizenship by stateless persons. It was concerned, however, about a growing tendency towards manifestations of racism, xenophobia and Islamophobia in Estonian society. Turkey made recommendations.

80. Ukraine commended the reform of the Penal Code, the adoption of the new strategy on integration, the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the special care development plan. It praised the positive attitude of Estonia towards the social and cultural needs of national minorities, including the Ukrainian community. Ukraine encouraged Estonia to continue its efforts to become party to the International Convention for the Protection of All Persons from Enforced Disappearance, among others.

81. The United Arab Emirates praised the establishment of the Gender Equality Council and measures to address the gender pay gap and promote gender equality in education. It expressed concern, however, about reports of religious and racial discrimination and Islamophobia. It made recommendations.

82. The United Kingdom welcomed progress made in implementing its recommendations to Estonia during the first review, including the ratification of the Convention on the Rights of Persons with Disabilities and legal recognition of same-sex partners. It encouraged the full implementation of the strategy on integration. It made recommendations.

83. The delegation stated that the 2015 amendments to the Constitution had lowered the minimum age for voting in local elections to 16 years. The Government was considering granting prisoners the right to participate in elections.

84. The use of electronic voting systems had reached 30 per cent during the 2015 elections. The "I-voting" system had been continually monitored and improved to ensure privacy and confidentiality. The confidentiality of personal data was protected by several security measures. Legal remedies were in place in the event of a breach of confidentiality in personal data management.

85. The delegation recalled that Estonia was one of the most active advocates of cybersecurity and that Estonia had launched a number of key initiatives related thereto. Estonia utilized technological solutions to protect personal data within the state information system. Over 150 inspections had been carried out by data protection inspectors in 2015 as a part of their mandate to oversee that data protection regulations were met. Additionally, the Government had conducted an in-depth analysis of existing legislation and its implementation in practice in order to improve further the level of protection of personal data in telecommunication. Estonia envisaged introducing a more effective distinction between different approaches and situations in which retained data might be used, narrowing the scope and laying down more tailor-made provisions for different areas, including criminal proceedings and national security.

86. The Constitution entitled everyone, including prisoners, to the right to judicial review in cases of human rights violations. In that regard, several improvements had been made to the work of the judiciary. The average duration of court proceedings had been

reduced in the previous three years. Members of the judiciary received training on the case law of the European Court of Human Rights. The 2015 amendments to the State Liability Act stipulated the provision of compensation for lengthy criminal procedures. Estonia had started to draft legal amendments to ensure compensation for delays in civil and administrative procedures.

87. In response to questions regarding the teaching of minority languages, the delegation stated that State-funded schools provided education in different languages in addition to the state official languages. Education in Russian was available in public and private schools at all levels. According to the legislation, if there were at least 10 people of the same nationality residing in a local municipality, they were entitled to education in their mother tongue.

88. While in primary education the school chose the language of instruction, in upper secondary education at least 60 per cent of the curriculum should be completed in Estonian. The purpose of that requirement was to facilitate enhancement of knowledge of Estonian among all members of the population and to ensure access by members of minority groups to higher education and the labour market, as well as effective integration in society. The transition to 60 per cent of teaching in the education system being in Estonian had been carried out gradually between 2007 and 2014.

89. State exams and self-assessments by schools indicated that academic achievement had not been diminished as a result of that change and knowledge of Estonian had improved. Six of the fifteen highest-ranking schools were schools with education in Russian. Additionally, half of the schools using Russian had joined the language immersion programme, ensuring that students of those schools would have a good command of Estonian, Russian and English. The programme had also been proven effective for the children of migrants and refugees.

90. Estonia also provided support to adults to learn Estonian by reimbursing the cost of language courses for those who successfully passed language tests. The State provided free language courses for employees in the public sector, long-term residents and newly arrived migrants. As for the requirements for language proficiency in certain positions, the delegation emphasized that the requirements had been put in place to ensure the provision of public services and information in Estonian. The language requirement was also in accordance with the particular nature of the work. For example, the required proficiency for doctors or pharmacists was higher than for service staff.

91. The delegation confirmed that the punitive role of the Estonian language inspectorate had considerably decreased. The requirement to impose fines had been eliminated for several categories in January 2015. Insufficient command of the state language was no longer an administrative offence. Language inspectors should allow a realistic amount of time to enhance the language skills of an employee. Inspectors had demonstrated more flexibility and had often provided practical solutions in specific cases to ensure that services were provided in Estonian.

92. The new integration strategy focused on socioeconomic, educational, cultural and political integration. Integration was seen as a two-way process, influencing the society as a whole. The cultural advisory council of national minorities had been established in 2008 with the objective of presenting the interests of minority groups in decision-making. The Council promoted the cultural life and activities of national minorities and participated in implementing integration policy.

93. In 2015, the Minister of Culture had established the National Roma Integration Council, which involved different ministries and local governments, representatives of Roma organizations and experts. The aim of the Council was to encourage and facilitate

dialogue, promote cooperation and provide an opportunity to hold discussions related to questions on the integration of the Roma.

94. Unemployment rates among Estonians and non-Estonians had decreased in recent years. Discrepancies in unemployment rates between Estonian and ethnic minorities had also decreased in 2015. The Government paid special attention to the development of Ida-Virumaa, where the Russian-speaking minority comprised the majority of the population. The Estonian regional development strategy and the Ida-Viru county action plan for the period 2015-2020 foresaw measures to improve living conditions, strengthen civil society and promote economic and employment opportunities.

95. The United States of America urged Estonia to take further steps to counter prejudice and discrimination against lesbian, gay, bisexual, transgender and intersex persons, migrants, asylum seekers, refugees and members of ethnic and religious minorities. It commended Estonia for its continued efforts to promote a tolerant and integrated society. The United States made recommendations.

96. Uruguay emphasized the accession by Estonia to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. It took note of the efforts made by Estonia to establish a national human rights institution in accordance with the Paris Principles. Uruguay made recommendations.

97. Uzbekistan noted with satisfaction efforts taken to strengthen the legal and institutional framework for the protection and promotion of human rights. It noted concerns expressed about cases of discrimination against minorities, migrants and refugees, hate speech and gender discrimination. Uzbekistan made recommendations.

98. Afghanistan acknowledged the reform of the Penal Code and all measures taken to combat all forms of violence. It noted with appreciation the general education programme for the period 2016–2019 that included human rights education. Afghanistan made a recommendation.

99. Albania commended the Government for the welfare development plan for the period 2016-2023 and for adopting a new development plan to prevent violence. It encouraged Estonia to make further improvements in human rights. Albania made recommendations.

100. Algeria welcomed the positive steps taken by Estonia to improve the human rights situation since its first review. It noted with satisfaction the ratification of the Convention on the Rights of Persons with Disabilities, as had been recommended by Algeria and many other delegations in the previous review. Algeria made recommendations.

101. Argentina noted with satisfaction the efforts taken by the Government concerning education and congratulated Estonia for incorporating human rights in primary education curricula. It stated that challenges persisted, especially in relation to minority groups. Argentina made recommendations.

102. Armenia highlighted the new project to enhance communication and mutual understanding between young people and was pleased that the new strategy on integration and social cohesion addressed issues of integration. Armenia made recommendations.

103. Australia commended Estonia for implementing reforms to which it had committed during the review in 2011, including the ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. It commended the adoption of the Co-habitation Act, which extended the rights of married

couples to unmarried persons, including same-sex couples. Australia made recommendations.

104. Azerbaijan noted that some United Nations treaty bodies had expressed concern about problems related to discrimination, xenophobia and racist attitudes, as well as torture, ill-treatment and excessive use of force. Azerbaijan made recommendations.

105. Bahrain applauded the efforts made by Estonia in implementing recommendations of its first review. However, it remained concerned that there was no amendment to the Criminal Code prohibiting racist organizations and the dissemination of ideas that promote racial supremacy and racial hatred. Bahrain made recommendations.

106. Belarus noted measures taken to improve the situation of minorities. It noted discrimination in education and employment owing to restrictive measures taken to promote the state language. It called on Estonia to eliminate those restrictions. Belarus noted stigmatization of minorities and hate speech by politicians. It made recommendations.

107. Belgium offered congratulations on the adoption of an action plan to implement Security Council resolution 1325 (2000) and the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Nevertheless, Belgium underscored efforts still to be made in the area of combating all forms of discrimination and racism. Belgium made recommendations.

108. Botswana applauded efforts by Estonia in the fight against impunity and commended the ratification of the Kampala Amendments to the Rome Statute of the International Criminal Court, and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. It remained concerned, however, about reports of continued stigmatization of certain national minority groups. It made recommendations.

109. Brazil was concerned about incidents of possible disrespect of the principle of non-refoulement; the electronic communications act, which set the conditions for service providers to provide data to government agencies; and amendments to the Citizenship Law that might not cover children between 15 and 18 years of age. It urged Estonia to ratify the two conventions on statelessness. Brazil made recommendations.

110. Bulgaria noted that since the first review in 2011 Estonia had become party to several international human rights instruments, without making any reservations. It appreciated the creation of the position of the Ombudsman for Children and the establishment of the Gender Equality Council. Bulgaria made recommendations.

111. Burundi noted with satisfaction various measures taken by Estonia to protect gender equality. It commended the adoption of the Child Protection Act and the establishment of the Ombudsman for Children. It noted with appreciation different measures taken to improve the human rights of older persons. Burundi made a recommendation.

112. Canada commended Estonia for the ratification of the Convention on the Rights of Persons with Disabilities. It encouraged the full implementation of the Registered Partnership Act. It noted the passage of amendments to the Citizenship Act that granted citizenship to children 15 years old and younger born to stateless parents and simplified language requirements for older persons. Canada made recommendations.

113. Chile underscored efforts by Estonia to reinforce its legal and institutional framework and adopt national human rights programmes such as a national plan to prevent violence against women, the Child Protection Act and amendments to the Penal Code to address trafficking in persons. Chile made recommendations.

114. Malaysia noted the adoption of the Child Protection Act and a plan for the period 2015-2010 on preventing violence, and the creation of the Ombudsman for Children. It noted that its recommendations of the first review had been accepted by Estonia. Malaysia made recommendations.

115. Costa Rica highlighted the incorporation of human rights education in the curriculum and appreciated efforts to improve legislation to combat torture. It expressed concern at the persistence of gender violence and sexual abuses, as well as the continuing gender pay gap. Costa Rica made recommendations.

116. Croatia commended the adoption of the new Child Protection Act and further strengthening of protection of the rights of the child. It was pleased that Estonia had fulfilled its commitment to enact a new law explicitly prohibiting corporal punishment. Croatia made recommendations.

117. Cuba highlighted the efforts made by Estonia in improving its gender equality indicators and the rights of women. It noted that several United Nations treaty bodies, and regional and non-governmental organizations, had expressed their concerns over continuing economic inequality, high unemployment rates and discrimination in employment affecting ethnic minorities. Cuba made recommendations.

118. The Czech Republic made recommendations.

119. Djibouti applauded the efforts of Estonia to implement recommendations from the first review. It was pleased with the decision to incorporate human rights in the school curriculum. It called upon Estonia to redouble its efforts to promote and protect human rights. Djibouti made recommendations.

120. In conclusion, the delegation expressed its gratitude to all States that had contributed to the discussion during the interactive dialogue. All comments and recommendations would be given due consideration by the Government, and recommendations accepted by Estonia would be thoroughly implemented. The follow-up to the review would become an essential part of the work of national institutions involved in the protection of human rights.

121. The delegation reaffirmed the commitment of Estonia to continue promoting and protecting human rights and stated that the universal periodic review mechanism remained a useful part of that work. As part of the follow-up to the review, Estonia would continue its efforts to become a party to the remaining international human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and the Convention against Discrimination in Education. Estonia would adopt and implement a development and action plan in the areas of employment, social protection, inclusion, gender equality and equal opportunities for the period 2016–2023.

II. Conclusions and/or recommendations[**]

122. **The recommendations formulated during the interactive dialogue and listed below have been examined by Estonia and enjoy the support of Estonia:**

122.1 **Sign and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Turkey);**

[**] The conclusions and recommendations have not been edited.

122.2 **Step up its efforts to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (the former Yugoslav Republic of Macedonia);**

122.3 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

122.4 **Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Oman);**

122.5 **Take necessary steps to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Slovakia);**

122.6 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay);**

122.7 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Portugal);**

122.8 **Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Discrimination in Education (Ghana);**

122.9 **Ratify the Convention against Discrimination in Education (Uzbekistan);**

122.10 **Consider ratifying the Convention against Discrimination in Education (Republic of Korea);**

122.11 **Accept and ratify the Convention against Discrimination in Education (Afghanistan);**

122.12 **Prioritize the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Italy);**

122.13 **Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Montenegro);**

122.14 **Complete the ratification process of the Council of Europe's "Istanbul Convention" (Turkey);**

122.15 **Establish a national human rights institution (Iraq) (Algeria);**

122.16 **Establish a national human rights institution compliant with the Paris Principles (Hungary);**

122.17 **Establish a national human rights institution in full compliance with the Paris Principles (Australia);**

122.18 **Establish a national institution for protection of human rights in conformity with the Paris Principles (Burundi);**

122.19 **Establish a national human rights institution in conformity with the Paris Principles (Djibouti);**

122.20 **Establish a national human rights institution in accordance with the Paris Principles (Pakistan) (Poland) (Azerbaijan);**

122.21 **Establish a national institution for the protection of human rights in accordance with the Paris Principles (Bulgaria) (Portugal);**

122.22 **Establish or designate a national human rights institution compliant with the Paris Principles (Namibia);**

122.23 **Establish a national human rights institution (Oman);**

122.24 **Continue consideration of the establishment of a national human rights institution compliant with the Paris Principles (Georgia);**

122.25 **Consider establishing a national human rights institution in compliance with the Paris Principles (Republic of Korea);**

122.26 **Continue its efforts to establish a national human rights institution, in line with the Paris Principles and with the full participation of civil society (Indonesia);**

122.27 **Continue efforts to create a national human rights institution (Libya);**

122.28 **Establish as soon as possible a national human rights institution in accordance with the Paris Principles (Egypt);**

122.29 **Expedite establishment of a national human rights institution in accordance with Paris Principles (Latvia);**

122.30 **Expedite the process of establishing an independent and effective national human rights institution with a broad human rights mandate, in accordance with the Paris Principles (Ireland);**

122.31 **Take concrete steps towards the establishment of a national human rights institution in accordance with the Paris Principles (Malaysia);**

122.32 **Ensure that the Ombudsman enjoys full autonomy in accordance with the Paris Principle (Nicaragua);**

122.33 **Spare no efforts for the necessary establishment of a national human rights institution (Dominican Republic);**

122.34 **Accelerate the creation of a completely independent and sufficiently funded body with the capacity to defend human rights in Estonia, such as a national human rights institution (Costa Rica);**

122.35 **Further raise public awareness about the content of the new legislation and profile of the Ombudsman, in cooperation with NGOs, and in the education system raise awareness of children's rights, especially in cases of abuse and children's participation in civil and criminal proceedings (Lithuania);**

122.36 **Provide the Gender Equality Commissioner with sufficient resources to enable the institution to fulfil its mandate effectively and independently (Namibia);**

122.37 **Ensure the functioning of the Gender Equality and Equal Treatment Commissioner by providing sufficient resources for this institution (France);**

122.38 **Create an independent mechanism in charge of monitoring the implementation of the Convention on the Rights of Persons with Disabilities (France);**

122.39 **Continue conducting policy programmes to support the effective implementation of the new Child Protection Act, in particular focusing on prevention and early intervention in cases of child abuse and domestic violence (Finland);**

122.40 **Continue reinforcing its efforts to protect children's rights (Georgia);**

122.41 **Continue to adopt measures in order to ensure the protection of the rights of the child (Romania);**

122.42 **Continue to implement Child Protection Act (Pakistan);**

122.43 **Adopt and fully implement the Welfare and Development Plan 2016-2023, in accordance with the commitment set out in paragraph 143 of its national report (Panama);**

122.44 **Engage civil society in the follow-up implementation process of the universal periodic review recommendations (Poland);**

122.45 **Improve the submission of reports to the treaty bodies and strengthen its capacity-building in this sphere (China);**

122.46 **Continue to adopt measures in order to ensure the creation of a comprehensive anti-discrimination framework (Romania);**

122.47 **Allocate necessary resources to strengthen gender equality (Bahrain);**

122.48 **Operationalize/enforce legal mechanisms on ensuring gender equality (Tajikistan);**

122.49 **Continue efforts made towards the promotion of a culture of gender equality in society through awareness-raising campaigns (Morocco);**

122.50 **Address the gender pay gap for work of equal value (Egypt);**

122.51 **Take further measures aimed at achieving equal remuneration for men and women for the same work (Oman);**

122.52 **Provide more opportunities to women in the labour market (Oman);**

122.53 **Take measures, while fully respecting freedom of expression, to curtail stereotyping of minorities, particularly the Muslim community in the society (Iran (Islamic Republic of));**

122.54 **Adopt measures to restrict the use of stereotypes towards minorities in the media and to promote the use of minority languages in the mass media and the press (Cuba);**

122.55 **Take necessary measures against discrimination based on ethnic and religious origin and language in employment and prosecute such cases (Iran (Islamic Republic of));**

122.56 **Condemn discrimination based on ethnic origin and language in employment and take active measures to prosecute such cases (Slovenia);**

122.57 **Step up efforts to tackle the socioeconomic gap and discrimination on the basis of ethnic origin, race or language, especially with regard to education and employment (Republic of Korea);**

122.58 **Prosecute cases of discrimination based on ethnic origin and language in employment (Iceland);**

122.59 **Promote equal opportunities for ethnic and national minorities, in particular in the area of education, vocational training and employment (Uzbekistan);**

122.60 **Combat discrimination on account of nationality, ethnic or religious affiliation, and sexual orientation or gender identity (United States of America);**

122.61 **Continue efforts on the legislative front to combat incitement to hatred, violence and racial discrimination on the grounds of nationality, ethnicity, language, colour, religion or any other grounds, and address different existing challenges and concerns in this regard (Libya);**

122.62 **Continue legislative efforts to combat public incitement to racial discrimination and particularly against persons speaking other languages (Mexico);**

122.63 **Deepen awareness measures against racial discrimination and xenophobia, particularly by criminalizing behaviors such as incitement to hatred (Argentina);**

122.64 **Strengthen laws prohibiting religious and racial discrimination and criminalizing hate speech and incitement to religious and racial hatred (United Arab Emirates);**

122.65 **Take concrete measures to curb incitement to hatred, violence and discrimination through the enactment of legislation, as well as policies and programmes that promote tolerance and intercultural, interracial and interreligious understanding (Malaysia);**

122.66 **Develop effective measures to eradicate racism and xenophobia, including hate speech (Botswana);**

122.67 **Prevent and combat xenophobic statements and acts targeting migrants, asylum seekers and refugees (Azerbaijan);**

122.68 **Strengthen the Penal Code as an effective instrument in combating hate speech (Norway);**

122.69 **Classify hate speech with racist content and incitement to hatred as crimes punishable under criminal law (Russian Federation);**

122.70 **Enact laws and take appropriate measures in order to criminalize hate speech (Oman);**

122.71 **Pursue "hate speech" offences more vigorously by not only condemning violations but also investigating, prosecuting and punishing violators in a consistent manner (Germany);**

122.72 **Amend the Criminal Code so that it explicitly provides sanctions against organizations propagating racist ideas as well as hate speech (Belgium);**

122.73 **Implement their "Diversity Enriches" programme to promote inclusion, tolerance and integration of people from different backgrounds, nationalities, religions, genders and sexual orientations (United Kingdom of Great Britain and Northern Ireland);**

122.74 **Launch a debate on issues concerning ethnic and cultural diversity aiming at promoting tolerance towards divergent cultural, religious and sexual orientations within the Estonian society (Germany);**

122.75 **Take further steps to promote tolerance, cultural diversity and integration in the country and internationally (Armenia);**

122.76 **Establish measures to promote tolerance of ethnic and religious diversity in society (United States of America);**

122.77 **Develop and implement public awareness campaigns and education programmes to promote diversity and inclusion, while combating racism and xenophobia (Canada);**

122.78 **Reform its education and training programmes, including those for the media and security officials, so that these programmes contribute more to the promotion of tolerance among nationalities and ethnic and religious groups (Belgium);**

122.79 **Revise its legislation and legal practice to ensure that sexual orientation and gender identity as motivation for criminal offence are treated as aggravating circumstances (Finland);**

122.80 **Develop and adopt legislation that would recognize explicitly hatred on the basis of sexual orientation and gender identity as a motive and make it an aggravated circumstance in a crime (Bulgaria);**

122.81 **Develop and adopt legislation that would explicitly recognize hatred on the basis of sexual orientation and gender identity as a motive and make it an aggravated circumstance in a crime (Slovenia);**

122.82 **Thoroughly investigate and prosecute all acts of violence against ethnic and racial minorities and vulnerable groups, including lesbian, gay, bisexual, transgender and intersex persons, and enact legislation on hate crimes based on sexual orientation or gender identity (Canada);**

122.83 **Amend the Penal Code to include a definition of torture in conformity with the Convention against Torture and conduct independent and prompt investigation of all claims of torture and ill-treatment (Egypt);**

122.84 **Investigate all allegations of torture, ill-treatment and excessive use of force by law enforcement officials and bring those responsible to justice (Azerbaijan);**

122.85 **Strengthen the Criminal Code and structures established to fight against violence and discrimination against women, in particular the Office of the Gender Equality and Equal Treatment Commissioner (Belgium);**

122.86 **Combat more vigorously the phenomenon of domestic violence, in particular violence against children, including by the introduction of a coherent and clear legislative framework prohibiting corporal punishment (Hungary);**

122.87 **Continue its good efforts to address violence against women and domestic violence, in particular through the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Latvia);**

122.88 **Continue to prioritize efforts to prevent and tackle violence against women, and work with relevant stakeholders to strengthen the national victim support system (Singapore);**

122.89 **Undertake the necessary legislative measures to criminalize domestic violence (Panama);**

122.90 **Strengthen prevention efforts, including through legislative measures aimed against domestic violence and ensure that all professionals working with victims of domestic violence receive regular and comprehensive training (Czech Republic);**

122.91 **Increase efforts to prevent and sanction gender violence and sexual abuse (Costa Rica);**

122.92 **Reinforce mechanisms to detect and investigate cases of domestic violence, train law enforcement officials to deal with such cases and fully implement the provisions of the National Plan for Preventing Violence for the period 2015–2020 (Republic of Moldova);**

122.93 **Adequate financing of the new gender equality institution, promotion of its role through public awareness campaigns, and improvement in data collection on gender equality, domestic violence and violence against women and children (Lithuania);**

122.94 **Further promote large-scale awareness raising campaigns to prevent and combat violence against women and domestic violence (Italy);**

122.95 **Continue public information campaigns to combat domestic violence, and above all violence against women (Mexico);**

122.96 **Take necessary measures to prevent possible cases of corporal punishment against children in the home and in all other settings (Mexico);**

122.97 **Continue with efforts to prevent violence against children at schools and other institutions where children are present, to ensure that children are aware of their right to be protected from all forms of violence and of the assistance provided if they are victims of violence (Croatia);**

122.98 **Reinforce measures to combat human trafficking (Azerbaijan);**

122.99 **Fight against trafficking in human beings (Djibouti);**

122.100 **Take further measures to prevent human trafficking, strengthen the protection of victims and provide them with redress (Serbia);**

122.101 **Take effective measures to prevent and investigate cases of human trafficking for forced prostitution and forced labor (Russian Federation);**

122.102 **Increase efforts to investigate, prosecute and convict trafficking offenders under article 133 of the Penal Code (United States of America);**

122.103 **Take further measures to prevent trafficking in persons in investigating and prosecuting offenders and provide effective support and redress to victims, as well as step up efforts to raise awareness about human trafficking (United Arab Emirates);**

122.104 **Make efforts taken in the field of measures to improve access to justice (Iraq);**

122.105 **Ensure that all persons detained by the police are fully informed of their fundamental rights from the very outset of their deprivation of liberty (Islamic Republic of Iran);**

122.106 **Continue the efforts to reduce overcrowding and take action to improve the general conditions in prisons and detention centres (Sweden);**

122.107 **Continue working to improve detention conditions and to address the problem of overcrowding in prisons (Georgia);**

122.108 Redouble its efforts to develop the Welfare Development Plan 2016-2023, with particular emphasis on the protection and promotion of the rights of older persons (Singapore);

122.109 Promote access to education, especially for minorities (Dominican Republic);

122.110 Continue to work on programmes to motivate and promote education for young people (Nicaragua);

122.111 Combat school dropouts and increase the number of students who finish secondary education (Bahrain);

122.112 Adopt measures targeted to remedy school dropouts (Djibouti);

122.113 Introduce programmes and projects within the concept of human rights education on the prevention of genocide, war crimes and crimes against humanity (Armenia);

122.114 Promote the realization of the right of everyone to take part in cultural life, including by ensuring the facilitation of access to cultural goods, particularly for disadvantaged and marginalized individuals and groups (Albania);

122.115 Increase the number of measures for persons with disabilities to obtain appropriate jobs (Bahrain);

122.116 Prepare, in consultation with persons with disabilities, a national strategy for the promotion and protection of rights of persons with disabilities, in line with the Convention on the Rights of Persons with Disabilities, and strengthen measures protecting persons with disabilities against discrimination, including through strengthening the Equal Treatment Act in this regard (Czech Republic);

122.117 Continue efforts in combating discrimination against persons belonging to a Russian-speaking minority (France);

122.118 Grant access to quality education for Roma children in mainstream schools (Portugal);

122.119 Assess the overall situation of the Roma community and adopt a comprehensive strategy to tackle discrimination and other problems faced by that community (Albania);

122.120 Intensify efforts to address the disadvantages faced by minority groups with regard to employment and remuneration based on language proficiency (Norway);

122.121 Expand mechanisms aimed at ensuring consultation with people belonging to national minorities and that the representatives of these minorities participate effectively in making decisions that affect them (Cuba);

122.122 Continue strengthening the integration programmes of national minorities to ensure their economic, social and cultural rights (Chile);

122.123 Continue its efforts in providing migrants and other sectors in vulnerable situations greater access to health, education and other social services, in the face of an increased number of migrants entering Europe (Philippines);

122.124 **Work actively to reduce the number of stateless residents in the country (Iceland);**

122.125 **Continue efforts to reduce statelessness and to facilitate access to citizenship for long-term residents in Estonia (Norway);**

122.126 **Further strengthen its norms, in conformity with the provisions of the Refugee Conventions, including procedures for asylum request, non-refoulement and access to legal advice, among others (Chile).**

123. **The following recommendations will be examined by Estonia, which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council in June 2016:**

123.1 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro) (France) (Czech Republic) (Portugal);**

123.2 **Consider the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);**

123.3 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (France) (Spain) (Portugal);**

123.4 **Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Ghana);**

123.5 **Ratify without reservations the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt in to the inquiry and inter-State procedures (Bulgaria);**

123.6 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee on Enforced Disappearances (in accordance with articles 31 and 32 of this instrument) (France);**

123.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt) (Azerbaijan);**

123.8 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families , as previously recommended (Algeria);**

123.9 **Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);**

123.10 **Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

123.11 **Move towards the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile);**

123.12 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and International Labour Organization Convention No. 189 (Philippines);**

123.13 **Ratify, among other international instruments, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention relating to the Status of Stateless**

Persons and the Convention on the Reduction of Statelessness, and continue its efforts to legalize the situation of persons with "undetermined nationality", guaranteeing their right to nationality (Ecuador);

123.14 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana) (Uruguay);**

123.15 **Consider ratifying the Convention relating to the Status of Stateless Persons of 1954 and the Convention on the Reduction of Statelessness of 1961 (Uruguay);**

123.16 **Accede to the Convention Relating to the Status of Stateless Persons 1954 and the Convention on the Reduction of Statelessness 1961, and ensure that language requirements relating to employment are implemented in a fair and objective manner and that the rights of ethnic and linguistic minorities are actively promoted and protected (Ireland);**

123.17 **Ratify the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961) (Panama) (Australia);**

123.18 **Ratify the 1954 Convention on the Status of Stateless Persons (Spain);**

123.19 **Consider ratifying the 1961 Convention on the Reduction of Statelessness (Croatia);**

123.20 **Continue efforts towards ratification of international conventions (Morocco);**

123.21 **Step up its efforts towards the ratification of other international human rights treaties that it is not yet a state party (Philippines);**

123.22 **Continue efforts for the creation of a national human rights institution, in accordance with international standards, which contributes to the preparation of an action plan on social welfare, ensuring the inclusion and equal opportunities for all the population, with special attention to minorities (Ecuador);**

123.23 **Establish a body (ombudsman, commissioner or the like) as a prominent institution to protect the rights of minorities and immigrants (Germany);**

123.24 **Establish a post of an Ombudsman on the issues of national minorities, as recommended previously (Russian Federation);**

123.25 **Increase the resources allocated to the Gender Equality and Equal Treatment Commissioner as a matter of priority (Norway);**

123.26 **Adopt a national action plan to implement the United Nations Guiding Principles on Business and Human Rights (Netherlands);**

123.27 **Develop National Human Rights Indicators as suggested by OHCHR, as an instrument that allows for a more precise and coherent evaluation of its national human rights policies (Portugal);**

123.28 **Stop discrimination in the area of employment on the grounds of ethnic origin and language and adopt active measures to prosecute such cases in the courts (Russian Federation);**

123.29 **Support fully to the adoption of the necessary information-educational measures to promote racial, ethnic and religious tolerance, with the emphasis on those characteristics that are results of natural-historical development (Tajikistan);**

123.30 **Develop a holistic strategy to allow combating racism, racial discrimination, xenophobia and other related forms of intolerance (Panama);**

123.31 **Initiate a comprehensive strategy to address manifestation of racism, xenophobia and Islamophobia, especially in view to preventing xenophobic acts (Turkey);**

123.32 **Ban organizations that encourage and incite racial discrimination (Uzbekistan);**

123.33 **Ban organizations which promote and instigate racial discrimination and hatred (Russian Federation);**

123.34 **Amend the Criminal Code to prohibit racist organizations and establish criminal liability for hate speech with racist content and incitement to hatred (Belarus);**

123.35 **Stop the participation of members of the Estonian armed forces in annual so called remembrance events glorifying the former legionaries of "Waffen SS" and Nazi collaborators (Russian Federation);**

123.36 **Review the discriminatory linguistic policy, including the work of the Language Inspectorates whose targets are mainly teachers of Russian language schools and kindergartens (Russian Federation);**

123.37 **Apply aggravating circumstance in hate-motivated crimes as well as prohibit and criminalize racist organizations, hate speech, incitement to hatred and the dissemination of ideas based on racial superiority and hatred (Egypt);**

123.38 **Legally recognize marriage between persons of the same sex (Spain);**

123.39 **Ensure the necessary legislation is passed to ensure the Registered Partnership Act comes into force (United Kingdom of Great Britain and Northern Ireland);**

123.40 **Adopt the necessary implementation legislation for Registered Partnership Act and ensure its full implementation (Netherlands);**

123.41 **Build on efforts to address all forms of violence against women by enacting specific laws that prohibit domestic and sexual violence, including intimate partner violence, and by investigating all allegations of violence, prosecuting perpetrators, and ensuring victims are protected and have access to medical and legal services (Canada);**

123.42 **Adopt a new law to prohibit trafficking in human beings and increase protection granted to victims (Bahrain);**

123.43 **Respect the right to vote of all inmates (Canada);**

123.44 **Consider additional safeguards for minorities in the criminal justice system, namely to introduce guarantees with respect to the right to use a minority language in all stages of the criminal proceedings (Serbia);**

123.45 **Undertake a review of the communications surveillance laws, policies and practices with a view to upholding the right to privacy in line with international human rights law (Brazil);**

123.46 **Provide protection for the family as the natural and fundamental unit of the society (Egypt);**

123.47 **Take measures to ensure full participation of all groups of individuals in the political and public affairs of the country (Botswana);**

123.48 **Continue promoting and implementing its programs of social inclusion to make citizens' participation more active, and in particular the participation of minorities or excluded groups (Nicaragua);**

123.49 **Ensure equal representation of the titular and non-titular communities in local self-government bodies (Russian Federation);**

123.50 **Further guarantee the status and rights of national ethnic and linguistic minorities on the legislative and judicial front as well as in the policy front (China);**

123.51 **Provide the necessary status to languages of minorities and create conditions where minorities do not fear of discrimination (Belarus);**

123.52 **Fulfil its obligations under the International Covenant on Economic, Social and Cultural Rights so that the Russian-speaking linguistic minority fully enjoys the right to equal opportunities in the labour market (Iceland);**

123.53 **Continue improving reforms to legislation on citizenship and nationality, reducing the cost of procedures and by making the language test less demanding to the minimum indispensable (Uruguay);**

123.54 **Confer nationality to all stateless minor children, regardless of age or the condition or nationality of their parents (Spain);**

123.55 **Avoid detaining asylum seekers and ensure all asylum seekers the right to lodge asylum applications at border-crossing points and in transit zones (Brazil).**

124. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Estonia was headed by Minister of Foreign Affairs, Ms. Marina Kaljurand and composed of the following members:

- Mr. Andre Pung, Ambassador, Permanent Representative, Permanent Mission of Estonia In Geneva;
- Ms. Riia Salsa, Deputy Permanent Representative, Permanent Mission of Estonia In Geneva;
- Ms. Merje Mägi, 3rd Secretary, Permanent Mission of Estonia in Geneva;
- Ms. Karmen Laus, Director of Second Division (International Organisations), Political Department, Ministry of Foreign Affairs;
- Ms. Triinu Kallas, Director of International Law Division, Legal Department, Ministry of Foreign Affairs;
- Mr. Jaanus Kirikmäe, Senior Counsellor, Second Division (International Organisations), Political Department, Ministry of Foreign Affairs;
- Mr. Jürgo Loo, Counsellor, International Law Division, Legal Department, Ministry of Foreign Affairs;
- Ms. Kai Härmand, Deputy Secretary General, Legislative Policy Department, Ministry of Justice;
- Ms. Kristel Siitam-Nyiri, Deputy Secretary General, Criminal Policy Department, Ministry of Justice;
- Ms. Anne-Ly Reimaa, Undersecretary (Cultural Diversity), Ministry of Culture;
- Ms. Mall Saul, Chief Specialist, Cultural Diversity Department, Ministry of Culture;
- Ms. Birgit Lüüs, Deputy Department Head For Migration, Citizenship And Migration Policy Department, Ministry Of The Interior;
- Ms. Siiri Leskov, Adviser, Citizenship and Migration Policy Department, Ministry of the Interior;
- Mr. Rait Kuuse, Deputy Secretary General on Social Policy, Ministry of Social Affairs;
- Ms. Helena Pall, Adviser, Equality Policies Department, Ministry of Social Affairs;
- Ms. Eha Lannes, Adviser, Social Welfare Department, Ministry of Social Affairs;
- Ms. Mariann Rikka, Chief Expert, General Education Department, Ministry of Education and Research.

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Report of the Working Group on the Universal Periodic Review*

Belgium

* The annex is being circulated in the languages of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Belgium was held at the 6th meeting on 20 January 2016. The delegation of Belgium was headed by the Deputy Prime Minister and Minister of Foreign Affairs, Foreign Trade and European Affairs, Didier Reynders. At its 10th meeting, held on 22 January 2016, the Working Group adopted the report on Belgium.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Belgium: China, Georgia and Namibia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Belgium:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/BEL/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/BEL/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/BEL/3 and Corr.1).

4. A list of questions prepared in advance by the Czech Republic, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Belgium through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Deputy Prime Minister and Minister of Foreign Affairs, Foreign Trade and European Affairs in his introductory statement noted that Belgium attached particular importance to a universal human rights policy. It promoted the implementation of human rights at the international, European and bilateral levels. Belgium also considered it essential to apply these universal principles at the national level and remained committed to fulfilling its obligations in that regard. The protection of human rights required constant vigilance. The peer review was an important exercise aimed at protecting and strengthening the implementation of these fundamental rights.

6. The Minister also recalled that Belgium was a federal State. The protection of human rights was therefore ensured on several levels of government. Accordingly, the national report was the result of close consultation between the various constituent parts of Belgium, including the Communities, which were responsible, inter alia, for education and cultural issues, and the Regions, which were in charge of territorial matters. Belgium also continued to strengthen its legislative, legal and policy framework in that respect, with a view to protecting human rights in the country. This institutional framework entailed responsibilities at different levels of government, but also shared responsibility in certain areas.

7. The Minister stated that human rights were effectively promoted and protected in Belgium, through the existing legislative framework and through its strict implementation. Belgium attached great importance to these universal international standards and made a determined effort to implement them. That also explained why Belgium was among the limited group of countries that were never late in submitting their periodic reports to United Nations treaty bodies.

8. Belgium had acceded to most of the international human rights conventions. Since the last universal periodic review, Belgium had acceded to the International Convention for the Protection of All Persons from Enforced Disappearance in 2011 and in 2014 to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The ratification procedures for the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence had been completed and Belgium would shortly be formally depositing its instrument of ratification with the Council of Europe.

9. The Minister continued his statement by stressing that the fight against all forms of discrimination was a central concern of Belgium. The Government therefore took its commitments to gender equality very seriously. The issue was the focus of special attention at all levels of government. Various laws had been adopted with the aim of improving the representation of women in professional and political life. Progress made in that regard had been encouraging. Particular attention had also been paid to combating sexism and promoting equality through education. Belgium had also adopted a new ambitious and comprehensive national plan to combat gender-based violence for the period of 2015-2019.

10. Regarding the combat against racism and xenophobia, legislative and legal instruments had been amended so as to better detect and punish discrimination and violence based on racial hatred. The training component — whether for the police or for teachers — had not been forgotten. Combating specific discrimination against lesbian, gay, bisexual and transgender (LGBT) persons had also received particular attention, with a focus on both prevention and protection. In line with the Convention on the Rights of Persons with Disabilities, Belgium had established a new legal protection status based on the autonomy of persons with disabilities. The new law on legal capacity, which had entered into force on 1 September 2014, provided that a person shall be considered capable, unless expressly deemed incapable of certain acts by the justice of the peace. The new system was based on the individual needs of the person requiring protection. Measures had also been taken to prevent the placement in prison of persons who required psychiatric confinement. The opening of a new centre of forensic psychiatry and establishment of long-term residence units for detainees in psychiatric institutions had led to a substantial reduction in the number of persons requiring psychiatric confinement that were held in prisons. Projects aimed at optimal social integration were ongoing.

11. In the area of justice, Belgium had launched a series of initiatives aimed at reducing prison overcrowding. It had thus invested in new institutions and had renovated existing structures. It had also taken measures to strengthen alternative penalties to imprisonment. The results of these measures had been encouraging and had helped to reduce prison overcrowding from 25 per cent to 8 per cent.

12. The Minister also referred to the adoption in 2011 of the Act amending the Code of Criminal Procedure (the "Salduz" Act), which set forth several important new rights, including the right to consult privately with a lawyer before being questioned and the right of persons deprived of their liberty to be assisted by a lawyer during hearings and interrogations. Significant efforts had been made to ensure that judicial proceedings were of a reasonable length. Moreover, a compensation procedure was available in the event of excessively long criminal proceedings.

13. Belgium paid particular attention to combating poverty and had developed tools to better target poverty reduction measures, such as the inter-federal poverty barometer. To strengthen the focus on children's rights in this context, a national plan to combat child poverty had been approved in 2013. A second plan would shortly be finalized.

14. With regard to asylum, the Minister said that every asylum seeker could submit an application, in accordance with the international conventions in force. Applicants were informed of their rights throughout the process. Legislation had been amended in an effort to address certain shortcomings identified by international and national courts. The new Federal Migration Centre took an active approach to ensuring respect for human rights under its reception policy. Specific measures had been adopted to protect women and children. Reforms had also been introduced to ensure that minors were no longer held in secure centres. Secure centres were solely used subject to international law for specific cases governed by law.

15. Like many other member States of the European Union, Belgium had experienced a significant increase in the number of asylum applications lodged during the second half of 2015. Considerable efforts had been made within a very short time frame to strengthen reception capacity. The number of places in the reception network had thus risen from 18,000 places in June 2015 to nearly 33,500 places by the end of December 2015.

16. Since 2011, Belgium had maintained its strenuous efforts to combat trafficking in persons. A new national action plan for the period 2015-2019 had been adopted in 2013, as well as three criminal laws, which expanded the scope of application to all forms of sexual exploitation and increased the number of judicial tools available to combat this scourge.

17. Two projects were being developed by the current Government. The first was the outline of a national plan on "human rights and businesses", which was due to be adopted shortly. The second was the establishment, scheduled for the end of this parliamentary term, of an independent national human rights mechanism, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Belgium had many instruments related to such a mechanism, including the National Commission on the Rights of the Child, the Centre for Equal Opportunities and mediation services that were independent of the Executive. The first challenge would therefore consist in integrating the various existing instruments into a coherent whole and adding activities in areas that had not yet been addressed.

18. Although minorities benefited from many national and international protection mechanisms in Belgium, the Framework Convention for the Protection of National Minorities, to which Belgium, as well as other countries, had made a reservation, had not yet been ratified. The reservation made by Belgium was as follows: "The Kingdom of Belgium declares that the Framework Convention applies without prejudice to the constitutional provisions, guarantees or principles, and without prejudice to the legislative rules which currently govern the use of languages. The Kingdom of Belgium declares that the notion of national minority shall be defined by the inter-ministerial conference of foreign policy". This issue fell under the remit of federal and federated entities. To date, no agreement on a definition had been agreed in Belgium between the various authorities responsible for assenting to the text. A working group was charged with addressing this issue, in particular with a view to defining the concept of minorities. Since Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) aimed at eliminating all forms of discrimination had not yet been approved by all entities, Belgium was unable to ratify it. The Flemish Government wished to await the jurisprudence of the European Court regarding the scope of this Protocol.

19. The Minister went on to address the issue of terrorism, a global phenomenon that had reached a scale never seen before. Belgium had not been spared: the first attack committed in Europe by a jihadist returning from Syria had taken place in Brussels in 2014. Numerous provisions to combat terrorism had been in force in Belgium for several years. In 2006, a national action plan had been adopted to combat radicalization, which was currently under review. Strengthening measures to combat radicalism formed a key part of the 2014 Government Agreement. A comprehensive and integrated stance had been taken, based on close cooperation among the various stakeholders, improved information sharing and a combination of administrative and judicial approaches. In 2015, the Government had approved two sets of new measures to combat radicalization. These measures were of both a preventive and a repressive nature. Upstream, the Government was making every effort to ensure that all Belgian citizens felt involved and efforts were ongoing in the education sector in that regard. Downstream, the State had to ensure public security in the face of the terrorist threat. Belgium remained willing to assume its responsibilities in this context and would continue to do so, in accordance with its international human rights commitments.

20. In conclusion, the Minister of Foreign Affairs, Foreign Trade and European Affairs emphasized the long tradition of collaboration between successive Belgian Governments and civil society. The Belgian authorities regularly consulted and listened to civil society. The report for universal periodic review had been circulated among civil society organizations, which had made detailed, critical comments on several issues contained therein and had highlighted the progress that were still needed in Belgium in terms of human rights. While collaboration had been intensive, there was always room for improvement. Having taken note of the comments made by civil society on the Belgian approach towards the preparation of its report for universal periodic review, the Government was determined to work with all relevant authorities on measures to further refine the process in the future. In the follow-up to the session of the Working Group on the Universal Periodic Review, it would certainly engage in a constructive dialogue with civil society.

B. Interactive dialogue and responses by the State under review

21. During the interactive dialogue, 100 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

22. Togo welcomed the ratification by Belgium of several international instruments as well as the measures taken to combat racism and discrimination.

23. Tunisia welcomed the adoption of policies and measures to prosecute acts of discrimination and hate-related violence. It also encouraged Belgium to continue its efforts in favour of official development assistance.

24. Turkey expressed concern about the rise of Islamophobic acts and noted that religious freedom for Muslims was limited at school, at work and in administration.

25. While acknowledging the efforts undertaken, Ukraine encouraged Belgium to take further measures, in cooperation with civil society, to monitor and implement the recommendations of the universal periodic review.

26. The United Arab Emirates commended Belgium for its promotion of the rights of vulnerable groups. It expressed concern about reports of religious discrimination and Islamophobia.

27. The United Kingdom encouraged Belgium to expedite the process of the establishment of a national human rights institution.

28. While noting the efforts of Belgium to combat discrimination, the United States expressed concern about instances of discrimination against members of minority groups.

29. Uruguay considered that the independence of the national human rights institutions enshrined in the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) was a fundamental principle to respect, and noted that several actors were concerned about overcrowding in prisons.

30. Uzbekistan noted the concern of United Nations human rights bodies about Islamophobia and anti-Semitism, and the excessive use of force by law enforcement representatives against immigrants.

31. The Bolivarian Republic of Venezuela expressed concern about the prison system in Belgium and the overcrowded conditions systematically described by international bodies as cruel, inhuman or degrading treatment.

32. Zambia called upon Belgium to take measures to combat racially motivated violence and ill-treatment by police officers targeting persons with immigrant backgrounds.

33. Afghanistan commended Belgium for its training programmes for judges, police officers and other professionals aimed at combating gender-based violence.

34. Albania commended Belgium for the progress achieved in the area of human rights.

35. Algeria welcomed the enactment of new legislation, such as the 2013 law which provided for heavier penalties for certain offenses with racial motivations.

36. Angola encouraged Belgium to continue its efforts to improve prison capacity and find alternatives to imprisonment.

37. Argentina welcomed the ratification by Belgium of the International Convention for the Protection of All Persons from Enforced Disappearance and the work carried out by the authorities to address racism and discrimination.

38. Armenia welcomed the instruments set up by Belgium in the framework of the fight against racial discrimination, extremism and xenophobia.

39. Australia acknowledged efforts made by the Belgian Centre for Equal Opportunities on the implementation of obligations under the Convention on the Rights of Persons with Disabilities.

40. Azerbaijan welcomed the ratification of several international human rights instruments by Belgium since its first review.

41. Bahrain expressed concern about xenophobic speeches by politicians in the media and cases of xenophobia amongst law enforcement bodies.

42. Bangladesh expressed appreciation for the actions adopted by Belgium to curb racial discrimination. Nonetheless, it noted the concern of the Committee on the Elimination of Racial Discrimination about acts of Islamophobia in Belgium.

43. Belarus noted measures to combat racism, extremism and xenophobia, but considered that a holistic approach was needed to root out their causes. It noted that priority should be given to addressing a high level of poverty.

44. Benin welcomed the measures undertaken by Belgium to address prison overcrowding situations, improve the conditions of detention and fight against racial discrimination.

45. Botswana welcomed the measures adopted by the French Community for combating racism and discrimination, and encouraged Belgium to adopt a national action plan against racism.

46. The Plurinational State of Bolivia welcomed the progress made by Belgium since its first review.

47. Sweden commended the initiative of Belgium to reduce violence against women. It noted, however, a high unemployment rate among foreign-born citizens.

48. Bulgaria commended the commitment of Belgium to the process and implementation of the universal periodic review, and noted that combating racism, extremism and xenophobia remained a priority for Belgium.

49. Burkina Faso commended Belgium for the measures taken to find alternatives to imprisonment, strengthen the rights of persons under criminal investigation, and reduce prison overcrowding.

50. Canada encouraged Belgium to fully implement the national action plan to combat gender-based violence.

51. Chad commended Belgium for its efforts in implementing the recommendations of the review and for its midterm report in 2013.

52. Chile noted the commitment of Belgium to human rights and its cooperation with the United Nations, and praised the Government for improving its human rights standards.

53. China noted the progress of Belgium in ratifying human rights instruments, and welcomed plans to combat poverty, gender discrimination, domestic violence, contemporary slavery and discrimination against refugees and migrants.

54. Colombia recognized the commitment of Belgium to implement the recommendations from the first cycle, and the Government's efforts to train the armed forces and judicial officers on human rights.

55. The Congo urged Belgium to find an agreement to establish a national human rights institution compliant with the Paris Principles.

56. Costa Rica noted the efforts to detect and prosecute cases of discrimination, and expressed concern about instances of excessive use of force by law enforcement officials.

57. Côte d'Ivoire encouraged Belgium to continue its programmes against poverty and domestic violence.

58. Belgium confirmed that the Government remained committed to establishing an independent national human rights institution during the course of its current parliamentary term.

59. Regarding the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed in 2005, the delegation stated that the ratification procedure was still ongoing and not yet complete.

60. Concerning religious discrimination, the Minister pointed out that the legal framework in Belgium protected the right to freedom of religion and expression. The delegation appealed to all United Nations Member States to abolish laws against blasphemy and apostasy, which led to unacceptable breaches of freedom of religion and expression.

61. Similarly, responding to the concerns expressed by various delegations regarding unlawful police violence, the delegation gave an outline of the existing legal framework to prevent and combat its occurrence. Belgium also responded to questions concerning alleged ethnic profiling by law enforcement officers and stated that the law prohibited discrimination according to a number of protected criteria, including ethnic origin, and set forth sanctions for any police officer found guilty of such offences.

62. In respect of the wage gap between men and women, the delegation explained that Belgium had regulations prohibiting gender-based discrimination for equal work.

63. Regarding the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Belgium attached importance to upholding the rights of migrants, but was not in a position to accede to the Convention since it conferred equal rights upon both regular and irregular migrant workers. This approach differed from the regulations in force at the European and national level.

64. Cuba recalled that the Committee against Torture had expressed concern regarding information indicating that law enforcement officers used excessive force to carry out interrogations or detentions.

65. The Czech Republic warmly welcomed the delegation of Belgium and expressed appreciation for the responses of Belgium to advance questions.

66. The Democratic Republic of the Congo commended Belgium for the adoption of a law which provided for heavier penalties for certain offenses with racial motivations.

67. Denmark welcomed the acceptance by Belgium of the recommendation to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; inquired about steps taken to achieve ratification; and encouraged establishment of an A-status national human rights institution.

68. Djibouti expressed appreciation for the positive steps taken in the protection and promotion of human rights since the first review.

69. The Dominican Republic, considering the efforts of Belgium to improve prisons, invited the Government to learn from the Dominican prison system, held up as an example by other States.

70. Ecuador expressed concern regarding the security approach used against migrants and refugees, and about the enactment of the Agrofuels Act affecting third countries.

71. Egypt commended the creation of family courts, human rights training and inclusive education, and expressed concern about racism and regret about the lack of a national human rights institution.

72. Estonia noted progress in promoting employment equality, reducing the wage gap, combatting gender-based violence and ensuring child rights, and called for more consultations with vulnerable groups.

73. Fiji noted the need for progress in establishing a national human rights institution, and addressing prison overcrowding through improved detention standards.

74. France made recommendations.

75. Georgia encouraged Belgium to establish a national action plan on human rights and continue midterm reporting on implementation, and noted its ratification efforts and human rights commitment.

76. Germany welcomed Belgium to the Human Rights Council and commended its progress made since the 2011 review of Belgium and its continued engagement with human rights mechanisms.

77. Ghana lauded the actions of Belgium to improve prison conditions; legislation targeting racism, extremism and xenophobia; and steps taken toward a national human rights institution.

78. Greece congratulated Belgium for its treaty ratifications, progress in establishing a national human rights institution, anti-discrimination work, and efforts to fight sexual violence and protect women and children.

79. Honduras welcomed progress achieved in implementing the recommendations of the first review and the actions undertaken to establish a national human rights institution.

80. Hungary appreciated efforts to implement the recommendations of the universal periodic review, but noted gaps concerning the Optional Protocol to the Convention against Torture and a national human rights institution, and asked about efforts addressing anti-Semitism.

81. Iceland praised the engagement of Belgium with the review and its mechanisms combating racial discrimination. It also cautioned against de facto discrimination and urged quick implementation of its gender-based anti-violence strategy.

82. India commended efforts toward awareness-raising and training of judges and police, but noted concern for the reported use of excessive force against immigrants.

83. Indonesia thanked Belgium for its engagement with the universal periodic review, and expressed appreciation for steps taken to combat racism, extremism and xenophobia, and to protect women, minors and asylum seekers.

84. The Islamic Republic of Iran noted the right to health in Belgium, and expressed concern over increasing racial discrimination, racism, xenophobia, intolerance and Islamophobia.

85. Iraq praised Belgium for its implementation of universal periodic review recommendations, and lauded its efforts to implement human rights consistent with international standards and steps against racism and extremism.

86. Ireland praised Belgium for its universal periodic review reporting and implementation, and encouraged it to enact specific legislation prohibiting corporal punishment in all circumstances.

87. Israel highlighted past recommendations of the universal periodic review on prosecution of discrimination and hate-related violence, such as that related to Holocaust denial; action plans to address discrimination against lesbian, gay, bisexual, transgender and intersex persons; and child rights indicators.

88. Japan welcomed measures taken in support of gender balance in government, the private sector and education, and commended Belgium for its protections for women and minors among refugees and migrants.

89. Kazakhstan commended Belgium for ratification of international human rights instruments and for efforts in administering justice and combating contemporary forms of slavery.

90. Kyrgyzstan noted the efforts to strengthen its legislation to promote and protect human rights and its progress to follow up on the outcome of the universal periodic review.

91. Lebanon expressed appreciation for efforts deployed to promote and protect human rights, and welcomed preventive and deterrent measures to fight discrimination and xenophobia.

92. Libya made recommendations.

93. Liechtenstein welcomed efforts by Belgium towards the elimination of discrimination against women and its progressive measures to protect the right to privacy.

94. Lithuania commended ratification by Belgium of international treaties, its efforts to create a national human rights institution in compliance with the Paris Principles, and efforts to improve prison conditions.

95. Malaysia noted new legislation that enabled action against acts of discrimination and hate-related violence, and improvements in the rights of women, children and persons with disabilities.

96. Mexico commended the efforts of Belgium to implement the recommendations of the universal periodic review, such as the future establishment of a national human rights mechanism in accordance with the Paris Principles.

97. Montenegro welcomed activities undertaken by Belgium to ensure gender equality, highlighted inclusive educational integration policies for children with disabilities and integration of migrants, and noted concerns regarding child abuse and street children.

98. Morocco congratulated Belgium for ratifying new human rights instruments, particularly the International Convention for the Protection of All Persons from Enforced Disappearance, as well as for its efforts to combat racism, intolerance and discrimination.

99. Belgium said that the prohibition of incitement to hatred constituted one of the legal restrictions on freedom of expression and that there were three federal laws in force to combat incitement to hatred: the Act prohibiting certain acts motivated by racism or xenophobia; the Act to combat certain forms of discrimination; and the Act prohibiting the denial, minimization, justification or approval of the genocide committed by the German Nazi regime during the Second World War. Furthermore, the Government had started to draft a national action plan against racism, xenophobia and intolerance.

100. On the issue of discrimination, notably in terms of housing and employment, the delegation recalled that, under Belgian law, equal treatment applied to all areas of social life. To combat discrimination in the various sectors, Belgium had also devised instruments to measure diversity, such as the diversity barometer. Furthermore, several initiatives conducted by the Government, professional associations and companies aimed to raise awareness of the risks of documented discriminatory practices in the hiring process and their deleterious effects.

101. Regarding the wearing of religious symbols in education, the delegation stated that there was no legislation governing the wearing of the veil in schools. It was incumbent upon each educational establishment to decide whether or not to authorize such distinctive signs. Whatever the case, children retained their access to school.

102. With regard to corporal punishment, while Belgian legislation did not explicitly prohibit the practice, it was not tolerated.

103. Concerning female genital mutilation, Belgium had introduced legislation prohibiting the practice in 2000 and, since July 2014, the law expressly provided for the punishment of persons practising, facilitating and promoting all forms of female genital mutilation and persons who incited the practice.

104. Namibia applauded measures to combat racism and discrimination taken by Belgium in 2013 and 2014.

105. Nepal took note of the liberal nature of the preventive measures to fight racism, extremism and xenophobia.

106. The Netherlands commended action plans against homophobia and transphobia, and stressed the importance of ensuring respect for human rights standards within the police.

107. Nicaragua recognized the efforts to promote social integration, tolerance and respect for interculturalism, to fight violence and to promote the rights of youths.

108. Norway commended follow-up to the first review in the fields of children's rights, gender equality and combating racism, as well as legal changes made to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

109. Pakistan welcomed the progress of Belgium in implementing recommendations of the first universal periodic review cycle, and commended its ongoing national legislation reforms for strengthening the protection of human rights.

110. Panama welcomed the consultations with civil society in preparing the national report, and the legislative amendments to establish equality between men and women in the transmission of the family name to children.

111. Peru acknowledged that Belgium promoted intercultural dialogue in its specific education and social policies, and had developed a national policy for migrants and refugees.

112. The Philippines commended Belgium for its improvement of policies towards migrants and asylum seekers, as well as of its domestic legal framework to protect and promote women's rights.

113. Poland expressed appreciation for the activities of Belgium concerning the right to work, and applauded efforts to promote social inclusion, combat discrimination and support persons with disabilities.

114. Portugal welcomed the positive steps taken by Belgium since its previous review, including ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and of the International Convention for the Protection of All Persons from Enforced Disappearance.

115. The Republic of Korea commended follow-up to the first review that led to improvements in prison overcrowding, non-discrimination, gender equality and social integration.

116. The Republic of Moldova welcomed the commitment of Belgium to ratify the Optional Protocol to the Convention against Torture, recognized achievements in safeguarding children's rights, and sought comments regarding recent legislation on child euthanasia and sexual abuse of children.

117. The Russian Federation noted efforts to promote the integration of Roma, commended the development of the inter-federal poverty barometer, and expressed concern about minors becoming victims of sexual harassment.

118. Despite the efforts of Belgium, Saudi Arabia expressed concern about manifestations of discrimination, racism, xenophobia and Islamophobia.

119. Senegal welcomed the participatory, inclusive approach of Belgium to drafting the national report, efforts to implement most accepted recommendations, and ratification of several international human rights instruments.

120. Serbia commended the gender mainstreaming strategy of Belgium, and encouraged communication campaigns on gender equality, especially gender-based violence. It encouraged Belgium to ratify the Istanbul Convention.

121. Singapore welcomed efforts to combat racism and discrimination, including release of a 2013 joint circular on the policy of identifying and prosecuting discrimination and hate-related violence.

122. Slovakia welcomed initiatives to strengthen legal protection of women and children, and applauded efforts to increase accommodation facilities for asylum seekers and migrants. It noted the challenge of prison overcrowding in Belgium.

123. Slovenia commended ratification by Belgium of optional protocols to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and welcomed improvements on human rights training and education, and on establishing a national human rights institution.

124. South Africa positively noted the 2013 Anti-Discrimination Law in Belgium, which increased penalties for certain offences in the case of aggravated circumstances based on discriminatory motives, and the National Roma Integration Strategy.

125. Spain congratulated Belgium for its compromise on abolishing the death penalty and fighting transphobia. It commended its coherence in combating violence against women and girls.

126. Sri Lanka noted the national action plan to fight human trafficking and the extension of rules of guardianship to cover unaccompanied minors in situations of vulnerability.

127. The State of Palestine took positive note of the measures in favour of the rights of persons with disabilities, as well as in the area of business and human rights.

128. Brazil welcomed the development of action plans against homophobia and transphobia, and the incorporation of additional legal protection for transgender people in domestic legislation.

129. Switzerland noted with satisfaction that significant measures had been taken to implement recommendations that were accepted at the first review.

130. Tajikistan noted efforts to implement international human rights obligations and to improve legislation through ratifying international human rights instruments.

131. Thailand commended the role of courts in Belgium in upholding human rights law. It welcomed the establishment of several human rights institutions, among others the Centre for Equal Opportunities and Action against Racism.

132. The former Yugoslav Republic of Macedonia expressed its concern about cases and forms of hate speech, discrimination and xenophobia.

133. During its final intervention, Belgium reported that the Act on Euthanasia permitted the practice on three conditions: the patient must be deemed capable and conscious at the time of his or her request; the request must be voluntary, duly pondered and repeated, and must not result from external pressure; and the patient must be in a hopeless medical condition and must be experiencing constant and unbearable physical or psychological suffering. No doctor was obliged to administer euthanasia. Moreover, a Federal Commission monitored and evaluated compliance with this legislation.

134. On the subject of the detention of unaccompanied foreign minors, the law provided that they could no longer be held in detention. When a person was identified as an unaccompanied foreign minor, he or she was transferred to an observation and orientation centre within 24 hours of notification of the determination of his or her age. Accompanied foreign minors stayed in private residences and accommodation facilities when they failed to meet the conditions of entry and residence, or once their stay had ceased to be regular or was illegal.

135. Responding to the questions concerning the fight against poverty, the delegation said that Belgium had begun work on the third federal anti-poverty plan in 2015, which included specific measures in terms of income, employment, health, housing, access to energy and

public services. This plan was being finalized and was due to be adopted during the course of 2016.

136. Belgium considered that technological developments over recent years had made the right to privacy more relevant than ever. The Government attached great importance to the right to privacy and had organized consultations to discuss the issue with various stakeholders. The Commission on Privacy Protection was an independent regulatory body that played an important role in that regard.

137. In conclusion, the Minister of Foreign Affairs, Foreign Trade and European Affairs thanked the delegations participating in the interactive dialogue for their questions and recommendations. He recalled that Belgium had supported the principles that formed the basis of the universal periodic review since its inception and noted that domestic follow-up mechanisms had been established to monitor the implementation of the recommendations made during the universal periodic review and by other international human rights bodies.

II. Conclusions and/or recommendations**

138. The recommendations formulated during the interactive dialogue/listed below have been examined by Belgium and enjoy the support of Belgium:

138.1 Continue efforts to clear the backlog observed in the process of ratification of certain legal instruments, in accordance with the recommendations formulated in its first universal periodic review of Belgium (Democratic Republic of the Congo);

138.2 Make the necessary adjustments to ratify the Optional Protocol to the Convention against Torture (Chile);

138.3 Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism in accordance with the Optional Protocol (Norway);

138.4 Ratify the Optional Protocol to the Convention against Torture as rapidly as possible and establish a national preventive mechanism in accordance with it (Kazakhstan);

138.5 Ratify the Optional Protocol to the Convention against Torture as soon as possible and establish an independent national preventive mechanism in compliance with the requirements of the Optional Protocol (Liechtenstein);

138.6 Speed up the process of ratification of the Optional Protocol to the Convention against Torture (Togo);

138.7 Swiftly ratify the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

138.8 Intensify efforts to ratify the Optional Protocol to the Convention against Torture (Denmark);

138.9 Accelerate the process of ratification of the Optional Protocol to the Convention against Torture (the former Yugoslav Republic of Macedonia);

138.10 Pursue its efforts to ratify the Optional Protocol to the Convention against Torture (Morocco);

** The conclusions and recommendations have not been edited.

138.11 Continue its efforts to ratify the Optional Protocol to the Convention against Torture as soon as possible (Slovenia);

138.12 Finalise the ratification of the Optional Protocol to the Convention against Torture (Djibouti);

138.13 Consider ratifying the Optional Protocol to the Convention against Torture (Philippines);

138.14 Ratify as soon as possible the Optional Protocol to the Convention against Torture (Portugal);

138.15 Ratify the Optional Protocol to the Convention against Torture, signed in 2005 (Senegal);

138.16 Ratify the Optional Protocol to the Convention against Torture (Tunisia) (Azerbaijan) (Ukraine) (Zambia) (Estonia) (France) (Georgia) (Honduras) (Hungary) (Lebanon) (Lithuania) (Montenegro) (Poland);

138.17 Ratify the Optional Protocol to the Convention against Torture (Costa Rica);

138.18 Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Albania);

138.19 Accelerate the ratification of the Istanbul Convention of the Council of Europe (Turkey);

138.20 Ratify the Istanbul Convention (Montenegro);

138.21 Move forward in the establishment of a national institution that contributes to the full enjoyment of all rights without discrimination, in accordance with the Paris Principles (Ecuador);

138.22 Rapidly adopt a legal framework establishing a National Human Rights Institution, in conformity with the Paris Principles (Fiji);

138.23 Speed up the process of establishing a national human rights institution in conformity with the Paris Principles (Tunisia);

138.24 Swiftly conclude the process to create a National Human Rights Institution in accordance with the Paris Principles (Hungary);

138.25 Prioritize the early establishment of a national human rights institution in line with the Paris Principles (Nepal);

138.26 Step up the process of establishing a national human rights institution (Slovenia);

138.27 Step up its efforts to establish its national human rights institution that is compliant with the Paris Principles (Philippines);

138.28 Expedite the creation of the national human rights mechanism that complies with the Paris Principles (Republic of Korea);

138.29 Expedite the establishment of a national human rights institution in accordance with the Paris Principles (Denmark);

138.30 Expedite the establishment of a National Human Rights Institution complaint with the Paris Principles (Georgia);

138.31 Expedite the establishment of the national human rights institution and make if fully compliant with the Paris Principles (Netherlands);

138.32 Expedite the creation of a National Human Rights Institution in accordance with the Paris Principles (Egypt);

138.33 Proceed as soon as possible to the establishment of a national human rights institution in conformity with the Paris Principles (Togo);

138.34 Establish a national human rights institution (Morocco);

138.35 Early establishment of a National Human Rights Institution in Belgium (India);

138.36 Establish a strong and well-funded national human rights institution that is fully compliant with the Paris Principles (Norway);

138.37 Establish, as a matter of priority, a National Human Rights Institution which is fully compliant with the Paris Principles (Australia);

138.38 Establish without further delay a National Human Rights Institution, complying with the Paris Principles (Ireland);

138.39 Establish a national human rights institution fully compliant with the Paris Principles, as Belgium committed to in the previous review (Kazakhstan);

138.40 Establish a Paris Principles-compliant national human rights institution (Namibia);

138.41 Establish a National Human Rights Institution fully compliant with the Paris Principles (Bulgaria);

138.42 Establish a National Human Rights Institution in full accordance with the Paris Principles (Germany);

138.43 Establish a national human rights institution in accordance with the Paris Principles (Azerbaijan) (Chad) (Pakistan) (South Africa);

138.44 Establish a national human rights institution in accordance with the Paris Principles, to promote and protect fundamental rights and guarantees (Panama);

138.45 Establish a national human rights institution in conformity with the Paris Principles on the status of national institutions for the promotion and protection of human rights (Portugal);

138.46 Establish an institution for the promotion and protection of human rights consistent with the Paris Principles (Chile);

138.47 Establish a national human rights mechanism pursuant to the Paris Principles, by drawing up a cooperation agreement between the different Belgian entities, without affecting the operation and independence of existing institutions that have a human rights mandate (France);

138.48 Continue with the process of dialogue necessary to ensure the establishment of a National Human Rights Institution (Uruguay);

138.49 Fully implement the Government agreement to create a national human rights mechanism that complies with the Paris Principles (Lithuania);

138.50 Consider the establishment of a National Human Rights Institution, in conformity with the Paris Principles (Indonesia);

138.51 Adopt measures to create a national human rights institution in conformity with the Paris Principles (Bahrain);

138.52 **Complete the process of the establishment of a National Human Rights Institution (Kyrgyzstan);**

138.53 **Engage civil society in the follow-up implementation process of the universal periodic review recommendations (Poland);**

138.54 **Increase efforts to promote gender equality in the economic and political fields (Japan);**

138.55 **Continue working on the harmonization of national policies and laws relating the rights of women in accordance with the international human rights instruments to which it is a party (Nicaragua);**

138.56 **Ensure laws safeguarding women's rights are effectively enforced, including the law banning female genital mutilation (Botswana);**

138.57 **Continue efforts to alleviate discrimination and support inclusion efforts for members of minority groups (United States of America);**

138.58 **Take stronger measures at the federal level to combat racism, xenophobia, intolerance and discrimination on religious grounds (Cuba);**

138.59 **Take additional measures to fight against racism, extremism and xenophobia (Kyrgyzstan);**

138.60 **Intensify its efforts in fighting against discrimination and intolerance, especially towards Muslims, immigrants and people of African descent (Tunisia);**

138.61 **Continue to strengthen its engagement with community leaders to build community support at all levels for measures to protect those most vulnerable to racism and discrimination (Singapore);**

138.62 **Step up measures to curb acts of racism, extremism and xenophobia and undertake efforts to improve interracial, intercultural and interreligious dialogue and sensitivity (Malaysia);**

138.63 **Combat effectively all manifestations of Islamophobia and promote tolerance, intercultural dialogue and respect for diversity in the society (Azerbaijan);**

138.64 **Focus further on preventing religious intolerance, by strengthening measures to prevent and combat Islamophobia while implementing the circular on Flemish citizenship and integration policy (Bangladesh);**

138.65 **Continue to effectively implement the relevant legislation to counter discrimination and hate crimes based on ethnicity and religion (Singapore);**

138.66 **Study whether a national action plan to combat racism should be adopted (Belarus);**

138.67 **Implement public awareness campaigns to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, racism, and Islamophobia (United Arab Emirates);**

138.68 **Take the necessary steps, firstly, to better protect all victims of xenophobic discrimination, especially Islamophobia; and secondly, to conduct awareness campaigns to counteract amalgams between migrants, Muslims and terrorism (Algeria);**

138.69 **Deepen awareness measures regarding the fight against discrimination, in particular by ensuring the investigation and punishment of acts of a discriminatory nature (Argentina);**

138.70 **Develop and implement education and awareness-raising campaigns to promote diversity and respect, while condemning racism and xenophobia (Canada);**

138.71 **Continue to apply and respect human rights in the implementation of counter-terrorism measures, notably for the rights to privacy, freedom of expression and movement (Republic of Korea);**

138.72 **Ensure that domestic measures in the fight against terrorism and all forms of extremism uphold the fundamental rights (Thailand);**

138.73 **Ensure effective coordination at the federal, regional and community levels when monitoring the incidence of unlawful ethnic profiling and racism, especially in the context of recent terrorist threats (Iceland);**

138.74 **Improve police training in order to raise awareness against racial profiling (Turkey);**

138.75 **Continue its efforts to improve conditions in detention facilities in line with the Bangkok Rules (Thailand);**

138.76 **Maintain endeavours to decrease overcrowding of prisons and detention facilities through continued facility construction and improvements by other means (United States of America);**

138.77 **Enhance its efforts to prevent prison overcrowding (Djibouti);**

138.78 **Continue to decrease prison overcrowding by providing new and adequate detention facilities (Germany);**

138.79 **Continue efforts to reduce prison overcrowding in the context of the Master Plan 2008—2012—2016 (Greece);**

138.80 **Step up efforts to improve conditions in prisons, in particular in relation to overcrowding (Slovakia);**

138.81 **Continue to improve conditions in its prisons, including in relation to overcrowding and specific facilities for offenders with mental health disorders (Australia);**

138.82 **Take effective steps to improve prison conditions and to reduce overcrowding (Azerbaijan);**

138.83 **Continue to improve the measures so that adequate access to health care and rehabilitation services needed are in place for detained psychiatric patients (Canada);**

138.84 **Develop and implement a comprehensive and coordinated strategy to fight domestic violence, particularly violence against women (Cuba);**

138.85 **Fully implement its national action plan to combat intimate partner violence and other forms of domestic violence (Sweden);**

138.86 **Continue giving priority attention to domestic and gender-based violence, in particular rape and other crimes of sexual violence, at all levels, including such caused by police and the judiciary (Bulgaria);**

138.87 Follow up on national policies to support victims of intrafamily violence (Dominican Republic);

138.88 Adopt as soon as possible and effectively implement the national action plan 2015—2019 against gender-based violence (Kazakhstan);

138.89 Make the necessary efforts for the ratification of the Fifth National Action Plan 2015—2019 (Dominican Republic);

138.90 Continue its efforts in the area of women's rights and ensure the effective implementation of the sixth national action plan on the fight against gender-based violence (Iceland);

138.91 Provide the most recent national plan to fight violence against woman and girls, for the 2015—2019 period, with sufficient funds to ensure its effective implementation (Spain);

138.92 Continue efforts to implement the national action plan against all forms of gender-based violence (France);

138.93 Continue its focus on domestic and gender-based violence and ensure the effective implementation of the national action plan in this regard (Serbia);

138.94 Facilitate the effective access to justice for women in cases of sexual harassment (Greece);

138.95 Increase the number and capacity of shelters for women who are victims of violence and ensure that all women have non-discriminatory access thereto (Liechtenstein);

138.96 Take measures to fight against and prevent child ill-treatment, in particular abuse of street children (Portugal);

138.97 Strengthen the coordination between the different authorities intervening in the combat against trafficking, including those in charge of assisting and protecting victims, in particular children (France);

138.98 Adopt measures to strengthen its mechanisms to combat trafficking, with a special focus on trafficking of boys and girls for sexual exploitation (Honduras);

138.99 Increase the efforts to combat trafficking and smuggling of persons, through the effective implementation of its National Action Plan (Panama);

138.100 Explore additional legislative and policy measures to prevent trafficking of children for sexual purposes (Serbia);

138.101 Continue ongoing efforts to combat human trafficking in line with the National Action Plan to combat trafficking of human beings and the international commitments (Sri Lanka);

138.102 Reinforce identification of child trafficking victims and ensure that referral and assistance mechanisms are provided and adapted to the victims' needs and best interests (Republic of Moldova);

138.103 Continue strengthening the mechanisms for assistance to victims of trafficking, with special emphasis on children victims of this crime (Colombia);

138.104 Continue efforts on the international level in the fight against impunity (Armenia);

138.105 **Consider abolishing the requirements for medical interventions for transgender people who wish to obtain legal recognition of their gender (Israel);**

138.106 **Amend the legislation to allow the change of the civil identity without need of previous surgery (Spain);**

138.107 **Strengthen national understanding and tolerance to counter manifestations of religious discrimination (Tajikistan);**

138.108 **Continue efforts to ensure that Jews and Muslims can practice their religion freely (United States of America);**

138.109 **Encourage the participation and representation of citizens in all sectors of the society regardless of their origin or religion (Saudi Arabia);**

138.110 **Enhance gender mainstreaming activities with a focus to increase women's participation in decision-making and address the gender pay gap (Malaysia);**

138.111 **Consolidate the gender equality in the professional field by applying the principle "equal pay for equal work" in the pay system, to reduce wage gaps linked to gender, which consequently leads to differences on retirement pensions between men and women (Algeria);**

138.112 **Adopt concrete measures to eliminate differentiation at work and reduce inequality by ensuring the strict implementation of the 2012 Law aimed at reducing wage inequality based on sex (Panama);**

138.113 **Enforce legislation that prohibits discrimination, particularly based on gender, race and belief, to improve the economic opportunities and conditions of work for women and minority groups (Malaysia);**

138.114 **Take early and adequate action to curb structural discrimination against persons of foreign origin in the field of employment (India);**

138.115 **Adopt measures to ensure the employment of youth and also other vulnerable groups of the population, including persons with disabilities and migrants (Russian Federation);**

138.116 **Persevere in the fight against child poverty and render it a national priority (Costa Rica);**

138.117 **Continue to promote the access of vulnerable groups to education (Angola);**

138.118 **Continue programmes on human rights education, including on prevention (Armenia);**

138.119 **Continue its efforts in the area of human rights education and training, especially with activities aimed at implementing the third phase of the World Programme for Human Rights Education (Slovenia);**

138.120 **Adopt a national plan of action focusing on persons with disabilities (Estonia);**

138.121 **Further develop policies related to inclusion of people with disabilities, especially regarding inclusive education (Israel);**

138.122 **Continue on the path of effective realization of the rights of persons with disabilities and take further steps to promote the recruitment and employment of persons with disabilities (State of Palestine);**

138.123 **Improve access to public services for people with a disability, particularly educational and postal services (Australia);**

138.124 **Establish an accessibility strategy for persons with disabilities through a national plan (Spain);**

138.125 **Carry on with the education coverage, especially the integration of children with disabilities (Dominican Republic);**

138.126 **Continue its efforts to prevent discrimination against the Roma population (Peru);**

138.127 **Accelerate the implementation of the national strategy for Roma integration and fight against discrimination in employment, education and health care (Benin);**

138.128 **Adopt effective measures to implement the national strategy for Roma integration and to combat discrimination against this category of population in employment, education and health care (Russian Federation);**

138.129 **Promote and protect the rights of indigenous peoples, peasants and other people working in rural areas (Plurinational State of Bolivia);**

138.130 **Protect small-scale farming in the country and implement plans designed to preserve it (South Africa);**

138.131 **Make further efforts to enhance integration in general through, inter alia, addressing unemployment among young and foreign-born citizens, and in particular to prevent radicalization (Sweden);**

138.132 **Ensure fully safety and security of migrant workers and their families (Bangladesh);**

138.133 **Increase the measures to prevent and punish domestic violence, particularly against migrant women (Colombia);**

138.134 **Ensure that the protection against violence affecting refugees becomes a visible policy of the Government (Colombia);**

138.135 **Increase development assistance to reach the target of 0.7 per cent of the gross national product in the interests of the sustainable development of developing countries (China).**

139. **The following enjoy the support of Belgium, which considers that they are already implemented or in the process of implementation:**

139.1 **Guarantee direct applicability of the International Covenant on Economic, Social and Cultural Rights in the domestic legal order (Egypt);**

139.2 **Adopt a national action plan on gender mainstreaming (South Africa);**

139.3 **Adopt legislation to combat discrimination, racism, extremism and xenophobia (Honduras);**

139.4 **Take effective measures to prevent public officials, when performing their duties, from discriminating against individuals on the basis of religion or belief (Saudi Arabia);**

139.5 **Prosecute perpetrators of xenophobic and hate crimes (Pakistan);**

139.6 **Enhance its efforts on the full implementation of the Convention against Torture (Indonesia);**

139.7 Ensure all persons who are held in custody have the benefit, from the very outset of their deprivation of liberty, of all the fundamental legal safeguards (Islamic Republic of Iran);

139.8 Conduct an impartial investigation of all cases of ill-treatment and excessive use of force by law enforcement officials, including on racial grounds (Uzbekistan);

139.9 Investigate all allegations of excessive use of force, racially motivated violence and ill-treatment by law enforcement officials and bring those responsible to justice (Azerbaijan);

139.10 Take all measures to immediately put an end to racially motivated violence and ill-treatment by police officers of persons with an immigrant background (Islamic Republic of Iran);

139.11 Ensure that all persons deprived of liberty are held in humane conditions, including in line with the United Nations Basic Principles for the Treatment of Prisoners and the Standard Minimum Rules for the Treatment of Prisoners (Bulgaria);

139.12 Conduct active reforms in the fight against prison overcrowding (Angola);

139.13 Adopt measures to place detainees suffering mental illness in establishments that are separate from common prisons (Uruguay);

139.14 Continue to adopt legislative and executive measures against gender-based violence, with special attention to migrants (Sri Lanka);

139.15 Prohibit all corporal punishment of children in all settings, including in the home (Estonia);

139.16 Consider developing legislation and agreements which allow for alternatives to imprisonment in cases of minor offenses (Uruguay);

139.17 Ensure that the processing of personal data be conducted in compliance with national and international standards and obligations, and that any violations be investigated and redress provided to victims (Liechtenstein);

139.18 Develop a specific action plan for people with disabilities at the national level and establish advisory councils in harmony with federal policies and the federated entities (Congo);

139.19 Ensure a supported decision-making mechanism for people with disabilities (Israel);

139.20 Review the legislation and adopt measures to ensure equal access to education for disabled children, children with special education needs, children of foreigners or from poor families and/or minorities (Mexico);

139.21 Take additional measures for the access for migrants in an irregular situation to health-care services (Greece);

139.22 Ensure that migrant women can seek protection from domestic violence and halt deportation procedures in this context (Albania);

139.23 Reconsider all its policies in relation to refugees and asylum seekers so that they are not deprived from their fundamental and social rights, in particular to ensure that children and unaccompanied minors are not detained or placed in adult detention centres (Afghanistan);

139.24 Restrain detention of asylum seekers to exceptional cases, always seeking the judicial review of these detentions, in accordance with human rights international law (Chile);

139.25 Following the recommendation of Mexico during the previous cycle regarding the systematic abolition of the detention of migrants and asylum seekers, adopt measures to implement the recommendations of the Office of the United Nations High Commissioner for Refugees and ensure that the access to justice for foreigners does not have negative consequences regarding their stay in the country, even in cases of acts based on xenophobia and racial discrimination (Mexico);

139.26 Adopt legal and administrative measures aimed at guaranteeing the principle of non-refoulement, in order to prevent extradition or return of asylum seekers and migrants who are at risk of being subject to torture or ill-treatment (Argentina).

140. The following recommendations will be examined by Belgium, which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council, in June 2016:

140.1 Ratify the Optional Protocol to the Convention against Torture and establish without delay an effective national preventive mechanism with adequate personnel and financial resources (Czech Republic);

140.2 Intensify the work aimed at the ratification of the Council of Europe Framework Convention for the Protection of National Minorities, signed by Belgium in 2002 (Hungary);

140.3 Ratify the Framework Convention for the Protection of National Minorities, signed in 2001, following on Council of Europe resolution 1301 (Switzerland);

140.4 Accelerate and strengthen legislative and educational actions to combat discrimination in all its forms (Djibouti);

140.5 Enhance and activate laws and legislation in order to combat all forms of discrimination, racism and xenophobia (Lebanon);

140.6 Activate efforts to eradicate the expressions of hatred, persecution and harassment on ethnic, cultural and linguistic grounds through partnerships and establishing trust and dialogue between religions and cultures and see this as of respecting human rights (Tajikistan);

140.7 Banish any forms of racism, discrimination and xenophobia in political discourse, media and social life (China);

140.8 Adopt measures to criminalize the incitement to imminent violence on the basis of religion and belief (Saudi Arabia);

140.9 Develop a national strategy against racial discrimination, xenophobia and Islamophobia based on a dialogue with non-governmental organizations (Turkey);

140.10 Strengthen the national plans and policies to prevent acts of discrimination and violence motivated by racial and/or religious hatred, xenophobia, homophobia and gender grounds (Chile);

140.11 Adopt a national action plan against racism, racial discrimination, xenophobia and related intolerance, including religious intolerance and discrimination (Brazil);

140.12 Adopt a comprehensive national action plan to combat racism and discrimination (Uzbekistan);

140.13 Adopt a national action plan against racism (South Africa);

140.14 Adopt a national action plan against racism; ban all organizations that promote and incite racial discrimination; and adopt clear measures to effectively combat racially motivated violence by the law enforcement officers (Botswana);

140.15 Strengthen legislation against discrimination by adopting a national action plan against racism, racial discrimination, xenophobia and intolerance (Côte d'Ivoire);

140.16 Adopt a national plan owned by the different entities against racism, racial discrimination, xenophobia and intolerance (France);

140.17 Adopt an inter-federal plan to combat racism, racial discrimination, xenophobia and related intolerance (Islamic Republic of Iran);

140.18 Take further action to put in place measures to monitor, detect and condemn manifestations of racism, discrimination and xenophobia and adopt a national plan addressing and combating racism and discrimination against ethnic minorities (Namibia);

140.19 Establish a comprehensive plan and a system for recording and monitoring developments in the area of preventing xenophobia and discrimination, including hate speech and hate crimes (Norway);

140.20 Put a political plan and a clear strategy to ensure that overlooked ideas about Islamophobia, xenophobia and intolerance are accounted for by those who work in public office and civil service (Bahrain);

140.21 Implement the resolution 16/18 on combatting intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief (Bahrain);

140.22 Pay particular attention to protecting from discrimination and treating appropriately older persons in the society (Tajikistan);

140.23 Consider recruiting independent experts to its Standing Committee for Police Monitoring from outside the police, in line with the 2014 recommendations of the Committee Against Torture (Australia);

140.24 Strengthen control and supervision mechanisms for the police, particularly through the Standing Committee for Police Monitoring and its Investigation Service (Costa Rica);

140.25 Carry out an evaluation on ethnic profiling within the police organization (Netherlands);

140.26 Enhance efforts to alleviate prison overcrowding and improve the overall conditions in places of detention, including assessing the impact and effectiveness of measures adopted thus far to address this issue (Czech Republic);

140.27 **Provide more specialized detention centres for mentally ill or addict detainees that respect their special needs and circumstances (Germany);**

140.28 **Guarantee women effective access to justice in cases of harassment and sexual and domestic violence, and adopt legislation against gender violence (Bolivarian Republic of Venezuela);**

140.29 **Develop additional measures to provide assistance to victims of sexual abuse and sexual violence (Russian Federation);**

140.30 **Introduce a law explicitly prohibiting corporal punishment of children in all settings (Poland);**

140.31 **Develop a national data collection system in the area of the fight against child poverty (Canada);**

140.32 **Consider debating and adopting the framework of the law on the right to food (Plurinational State of Bolivia);**

140.33 **Adopt a national legal framework for the rights of people with disabilities regarding accessibility, care, education and employment (Turkey);**

140.34 **Fully respect the human rights of asylum seekers, refugees and migrants and to address intolerance, violence by police officers and discrimination in the areas of employment and housing (Japan);**

140.35 **Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement of abuses in conflict situations, which includes situations of foreign occupation (State of Palestine).**

141. **The recommendations below did not enjoy the support of Belgium and would thus be noted:**

141.1 **Undertake a revision of its reservations to the International Covenant on Civil and Political Rights and other core international human rights treaties with a view to deepen and broaden the human rights protection in the country (Czech Republic);**

141.2 **Make the necessary adjustments to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile);**

141.3 **Continue its efforts to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

141.4 **Consider favourably acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);**

141.5 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines) (Sri Lanka);**

141.6 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey) (Azerbaijan) (Uruguay) (Algeria) (Ecuador) (Ghana) (Honduras) (Senegal);**

141.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria) (Azerbaijan) (Egypt) (Ghana) (Honduras) (Senegal);**

141.8 **Ratify the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education (Tunisia) (Benin) (Côte d'Ivoire) (Ghana) (Honduras) (Portugal);**

141.9 **Such a legal framework will provide for the prosecution of human rights violations in national courts (Fiji);**

141.10 **Expedite the process of establishing a fully functioning Independent National Human Rights Institution that is fully compliant with the Paris Principles by the end of 2017 (United Kingdom of Great Britain and Northern Ireland);**

141.11 **Further advance its national efforts on the promotion and protection of human rights through, among others, developing a comprehensive Human Rights National Action Plan (Indonesia);**

141.12 **Initiate visits of the Human Rights Council special procedures on the right to education and adequate housing and food with a view to developing more effective measures to drop poverty levels (Belarus);**

141.13 **Take other legislative measures to declare illegal organizations that incite racial discrimination (Democratic Republic of the Congo);**

141.14 **Continue the revision of anti-terrorism and data protection legislation and policies and repeal the provisions that contravene the applicable international law in areas such as due process and imprisonment; and develop measures to prevent and combat racial profiling by law enforcement bodies (Mexico);**

141.15 **Ensure that the legal definition of torture is in line with Convention against Torture (Egypt);**

141.16 **Investigate and punish in an exemplary fashion cases of disproportionate use of force, racial violence and ill-treatment by law enforcement officers and effectively address racism, discrimination and incitement to racial and religious hatred (Bolivarian Republic of Venezuela);**

141.17 **Reform comprehensively the prison system and respect the United Nations Standard Minimum Rules for the Treatment of Prisoners. It is fundamental that the authorities guarantee the rights of persons deprived of their liberty, from the moment of their detention (Bolivarian Republic of Venezuela),**

141.18 **Review detention conditions so that they are in conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners and that this be achieved before the publication of the third national report (Fiji);**

141.19 **Eliminate all forms of violence against women in detention places by some members of the judicial police and the need to prosecute them and avoid impunity (Libya);**

141.20 **Adopt specific legislation on domestic violence, especially violence against women and children (Islamic Republic of Iran);**

141.21 **Adopt specific legislation on domestic violence, especially violence against women (Brazil);**

141.22 Consider adopting specific legislation on domestic violence and violence against women (Israel);

141.23 Consider the recommendation of the Committee on Economic, Social and Cultural Rights to adopt specific legislation on domestic violence, particularly against women (Nicaragua);

141.24 Positively consider adopting specific legislation on domestic violence, especially violence against women, with a view to ensuring synergy with the implementation of the national action plan 2015—2019 for combating gender-based violence (Republic of Korea);

141.25 Reduce the high number of persons in preventive detention and limit its systematic use through alternative options to detention (Bolivarian Republic of Venezuela);

141.26 Provide protection for the family as the natural and fundamental unit of the society (Egypt);

141.27 Search the consent of Belgian Muslims on any initiative to codify the practice of Islam (Turkey);

141.28 Eliminate religious discrimination, including prohibitions on wearing religious symbols or clothing (United Arab Emirates);

141.29 Rescind the decision to prohibit the peaceful expression of religious beliefs, including the wearing of religious symbols in schools, in line with the freedom of religion or belief guaranteed by the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the European Union Guidelines on the promotion and protection of freedom of religion or belief (Malaysia);

141.30 Decriminalize defamation (Ireland);

141.31 Review the norms on defamation in the context of the international frameworks related to freedom of expression and opinion (Peru);

141.32 Put an end to all forms of discrimination by employers against workers from religious minorities in the public and private sectors, including the adoption of internal regulations banning the wearing of clothes representing a religion or a culture (Libya);

141.33 Continue its efforts in providing migrants, including those in irregular situation and migrant children, access to health, education, and other social services at par with its nationals (Philippines);

141.34 Halt the systematic use of detention of asylum seekers at the borders (Egypt);

141.35 Comply with the recommendations of the Committee on Economic, Social and Cultural Rights to prepare studies on the impact on the human rights of local communities in third countries of agro-fuel projects promoted by Belgian companies (Ecuador);

141.36 Implement the recommendations of the Committee on Economic, Social and Cultural Rights, specifically recommendations 21 and 22 (Plurinational State of Bolivia).

142. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

La délégation de la Belgique était présidée par le Vice-Premier Ministre et Ministre des affaires étrangères, du commerce extérieur et des affaires européennes, S.E.M. Didier REYNDERS, et composée des membres suivants:

- S.E.M. Bertrand DE CROMBRUGGHE, Ambassadeur, Représentant permanent de la Belgique auprès de l'Office des Nations Unies à Genève;
- M. Bart OUVRY, Ministre plénipotentiaire, Directeur droits de l'homme et démocratie, Service public fédéral (SPF) affaires étrangères:
- M. Karl DHAENE, Ministre conseiller, Représentant permanent adjoint de la Belgique auprès de l'Office des Nations Unies à Genève;
- Mme Sibille DE CARTIER, conseillère, Cellule stratégique du Ministre des affaires étrangères;
- M. David MARECHAL, porte-parole du Ministre des affaires étrangères;
- M. Didier VANDERHASSELT, porte-parole, SPF affaires étrangères;
- Mme May PERSOONS, conseillère, Cellule stratégique du Ministre-président du Gouvernement flamand et Ministre flamand de la politique extérieure et du patrimoine immobilier;
- M. Alfons VANHEUSDEN, conseiller, Cellule stratégique du Ministre de la justice;
- Mme Lynn VERRYDT, conseillère, Cellule stratégique de la Secrétaire d'État à la lutte contre la pauvreté, à l'égalité des chances, aux personnes handicapées, et à la politique scientifique, chargée des grandes villes et adjointe au Ministre des Finances;
- M. Philippe WERY, Chef du Service des droits de l'homme, Direction générale législation, libertés et droits fondamentaux, SPF justice;
- Mme Alexandra ADRIAENSSENS, Directrice, Ministère de la Communauté française, Direction de l'égalité des chances;
- Mme Véronique JOOSTEN, adjointe du Directeur droits de l'homme et démocratie, SPF affaires étrangères;
- M. Pierre GILLON, Premier Secrétaire, Représentation permanente de la Belgique auprès de l'Office des Nations Unies à Genève;
- M. Kris DIERCKX, conseiller, délégué du Gouvernement flamand auprès des organisations multilatérales à Genève;
- M. Henri MONCEAU, Haut-Représentant « droits fondamentaux, société de l'information et économie numérique », Délégation Wallonie-Bruxelles à Genève;
- Mme Véronique DE BAETS, attachée, Institut pour l'égalité des femmes et des hommes;
- Mme Nathalie DE NUL, attachée juriste, Département flamand des affaires étrangères, division de la politique;

- Mme Stéphanie HAUTOT, attachée, Division des affaires internationales, SPF emploi, travail et concertation sociale;
- Mme Chantal GALLANT, attachée, Service des droits de l'homme, Direction générale législation, libertés et droits fondamentaux, SPF justice;
- Mme Sylvie KORMOSS, attachée, Cellule internationale, SPF intérieur;
- Mme Audrey MONCAREY, attachée pour la Communauté française de Belgique et de la Région wallonne à Genève;
- M. Paul-Henri PHILIPS, attaché, Service public régional de Bruxelles, Direction des relations extérieures;
- Mme Sandrine ROCHEZ, conseillère juridique, Police fédérale, Commissariat général, Direction de la coopération policière internationale;
- Mme Colette VAN LUL, attachée, Bureau d'études, Direction générale de l'Office des étrangers, SPF intérieur.

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Report of the Working Group on the Universal Periodic Review*

Paraguay

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Paraguay was held at the 5th meeting on 20 January 2016. The delegation of Paraguay was headed by the Deputy Minister of Foreign Affairs, Ambassador Óscar Cabello. At its 10th meeting, held on 22 January 2016, the Working Group adopted the report on Paraguay.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Paraguay: Algeria, Cuba and Saudi Arabia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Paraguay:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/PRY/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/PRY/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/PRY/3).

4. A list of questions prepared in advance by Belgium, Germany, Liechtenstein, Mexico, the Netherlands, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Paraguay through the troika. These questions are available on the extranet of the universal periodic review. Additional questions raised during the dialogue by India, Montenegro and the United Kingdom are summarized in section I.B below.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation noted that Paraguay had come to the second review convinced that dialogue and cooperation at the international level could contribute to improving the promotion and protection of human rights. Paraguay aimed to share its achievements and challenges regarding the implementation of the recommendations from the first review cycle in an open and transparent manner.

6. Paraguay had always sought to cooperate with the United Nations human rights mechanisms and had issued a standing, open invitation to the special procedures of the Council. During the past four years, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on extreme poverty and human rights, the Special Rapporteur on the rights of indigenous peoples, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on the rights of persons with disabilities, as well as the Deputy High Commissioner for Human Rights, had visited the country. Paraguay was up-to-date with all its reports to the treaty bodies and had recently updated its common core document.

7. Paraguay was currently a member of the Human Rights Council and sought to work in a responsible manner together with other countries. It had supported declarations and

resolutions that reflected human rights priorities and cooperation, especially through the exchange of good practices among countries, the United Nations system and civil society.

8. Paraguay had focused on making good use of its experience to strengthen the international human rights mechanisms, in particular in the area of follow-up to universal periodic review recommendations, through the development of the innovative and participative Recommendations Monitoring System. The system, which was the result of the experience of national institutions, had been developed with technical support and guidance from the Human Rights Adviser of OHCHR in the country. The system was built around thematic areas of work and facilitated the preparation of reports and the implementation of recommendations through national plans of action, and now formed the basis for the development of human rights indicators. In order to share that experience, Paraguay, together with Brazil, had sponsored a Council resolution on promoting international cooperation to support national human rights follow-up systems and processes. Paraguay had also created a bilateral cooperation programme to share its experience with other interested States.

9. The delegation reported on the progress it had made and the challenges it had faced in the implementation of recommendations since the previous review. Paraguay had been consolidating a culture of democracy and the integration of a human rights-based approach in public policies with some significant results in the areas of poverty reduction and improvement in social conditions favouring inclusion and addressing inequalities. Paraguay had also begun combating corruption.

10. With regard to the prevention of torture, Paraguay was the first country in the region to have created a national mechanism for the prevention of torture, in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. On the basis of the methodology developed by OHCHR, the judicial branch had also formulated indicators on the right to a fair trial. Other initiatives had included the development of a guide to harmonize State justice with indigenous justice, guidelines on access to justice by older persons and persons with disabilities, and principles on juvenile restorative justice. The Minister of Public Defence and the Public Prosecution Service had also been strengthened.

11. Paraguay reiterated the importance of the international human rights system, in particular the universal periodic review mechanism, and highlighted the valuable work of OHCHR in that regard. Paraguay remained open to receiving comments and suggestions that could enable it to continue improving the protection of human rights at the national level.

B. Interactive dialogue and responses by the State under review

12. During the interactive dialogue, 76 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report. All written statements of the delegations, to be checked against delivery on the United Nations Webcast archives,[1] are posted on the extranet of the Human Rights Council when available.[2]

13. Argentina noted with satisfaction the implementation of the National Human Rights Action Plan, the designation of the national mechanism for the prevention of torture, the

[1] http://webtv.un.org/meetings-events/human-rights-council/universal-periodic-review/24th-upr/watch/paraguay-upr-adoption-24th-session-of-universal-periodic-review/4716532396001.

[2] www.ohchr.org/EN/HRBodies/UPR/Pages/PYSession24.aspx.

development of the Recommendations Monitoring System and efforts to promote the rights of persons with disabilities.

14. The Bolivarian Republic of Venezuela highlighted progress made to combat poverty, address domestic violence, and improve access to basic and secondary education and health services.

15. Australia noted that further measures were required to protect land reform advocates from intimidation and violence, to investigate gender-based violence and to guarantee protection from all forms of discrimination.

16. Austria expressed concern at the high number of journalists, human rights defenders and lawyers who had been attacked or killed, and the high rates of child pregnancy and maternal mortality.

17. Azerbaijan commended Paraguay for its efforts to strengthen the human rights framework, protect children and persons with disabilities, reduce poverty and raise people's standard of living.

18. Belgium welcomed the designation of the national mechanism for the prevention of torture. It noted that in certain areas, such as the rights of the child and those of women and girls, there was room for progress.

19. Benin welcomed the adoption of laws and policies on forced disappearances, the upgrading the Secretariat for Women to a Ministry, and the National Health Policy.

20. The Plurinational State of Bolivia recognized the progress that had been made to improve human rights since the first review, specifically the narrowing of the socioeconomic gap and the implementation of the Recommendations Monitoring System.

21. Greece commended Paraguay for its acceptance of all the recommendations from the first review, the National Development Plan to 2030, the National Policy on Children and Adolescents and the abolition of the death penalty.

22. Regarding indigenous rights and land settlement, Canada was concerned that the process of expropriation approved by Congress in 2014 had not yet been implemented to comply with the rulings of the Inter-American Court of Human Rights.

23. Chad encouraged Paraguay to reinforce its normative and institutional framework with a view to improving enjoyment of economic, social and cultural rights.

24. Chile highlighted the creation of the national mechanism for the prevention of torture and the adoption of several national laws and plans promoting the rights of women, children and people with disabilities.

25. Colombia highlighted the establishment of the Recommendations Monitoring System and reaffirmed its commitment to continue working with Paraguay to address trafficking in persons.

26. Costa Rica welcomed the establishment of the national mechanism for the prevention of torture and the Recommendations Monitoring System. However, it was concerned about cases of violence against and murders of journalists and human rights defenders.

27. Cuba recognized the efforts of Paraguay to eradicate poverty and uphold the economic, political, social and cultural rights of women living in rural areas with a view to their development and empowerment.

28. Djibouti acknowledged the progress made by Paraguay since the first review cycle to strengthen the legislative and institutional framework for the protection and promotion of human rights.

29. Ecuador highlighted the initiatives Paraguay had taken to promote social development, a human rights-based approach to poverty eradication and the National Development Plan to 2030.

30. Egypt noted with satisfaction the establishment of the national mechanism for the prevention of torture and the implementation of the Recommendations Monitoring System. Egypt urged Paraguay to increase its efforts to reduce poverty.

31. Ethiopia noted the domestication of international human rights instruments, and the introduction of human rights training in schools. It commended Paraguay for its commitment to poverty reduction.

32. France made a statement and recommendations.

33. Georgia encouraged Paraguay to allocate sufficient resources to the national mechanism for the prevention of torture. It expressed concern about the situation of human rights defenders and judicial and administrative proceedings against journalists, and urged the Government to conduct investigations into such cases.

34. Germany commended Paraguay for its engagement in the Human Rights Council. It appreciated the introduction of mechanisms to monitor the implementation of the country's international obligations.

35. Ghana was concerned about allegations of harassment and killings of journalists and human rights defenders. It encouraged Paraguay to investigate the allegations and bring the perpetrators to justice.

36. Brazil welcomed the improvements that had been made to the legal and institutional framework and the establishment of the Recommendations Monitoring System, which had inspired it.

37. Guatemala commended Paraguay for the reforms undertaken to prohibit the sale of children, child pornography, commercial sexual exploitation of children and trafficking in persons.

38. Haiti noted that Paraguay had accepted all the recommendations from the first review cycle and congratulated it on its efforts to combat the sexual exploitation of children and adolescents.

39. The Holy See recognized the efforts to improve communication between civil authorities and indigenous communities, reduce extreme poverty and address corruption and trafficking in persons.

40. Honduras commended Paraguay on its efforts to reduce poverty and recognized its contribution to promoting good practices with the creation and implementation of the Recommendations Monitoring System.

41. India noted that Paraguay was up-to-date with its submission of reports to the treaty bodies. India requested information on the operational aspects of the National Development Plan to 2030.

42. Indonesia commended Paraguay for strengthening the legislative framework and providing inclusive education. It noted the efforts that had been made to formulate the National Human Rights Action Plan.

43. The Islamic Republic of Iran was concerned about the absence of a policy on protecting the rights of indigenous peoples, and about the level of trafficking in persons.

44. Iraq commended Paraguay for its efforts to implement the recommendations from the first review cycle.

45. Israel commended Paraguay for having taken several measures, including the adoption of the National Human Rights Action Plan and of a protocol applicable to transgender persons who had been deprived of their liberty.

46. Italy appreciated the prioritization of measures to tackle extreme poverty and to uphold women's rights, as indicated by the creation of the Ministry for Women.

47. Kazakhstan welcomed the establishment of the national mechanism for the prevention of torture and of the Recommendations Monitoring System, which would facilitate efforts to follow up on recommendations made during the first review and recommendations made by treaty bodies and special procedures.

48. Kuwait welcomed measures to reduce poverty and combat human trafficking, the creation of the National Secretariat to Combat Corruption, and efforts to strengthen the rights of persons with disabilities.

49. Kyrgyzstan noted that Paraguay had made unprecedented steps to strengthen the legislative, institutional and policy mechanisms concerning human rights, and had issued a standing invitation to all the special procedure mandate holders.

50. The Lao People's Democratic Republic noted the commitment of Paraguay to international cooperation and the work of the Human Rights Council, and welcomed the measures it had taken on gender equality and poverty reduction.

51. Lebanon welcomed the efforts Paraguay had made to fight poverty and to recognize the rights of indigenous communities.

52. Libya commended Paraguay for its establishment of a national institution and a national commission on the rights of persons with disabilities. It welcomed the cooperation that had taken place on the development of the National Human Rights Action Plan.

53. Liechtenstein welcomed the ratification by Paraguay of the Agreement on the Privileges and Immunities of the International Criminal Court and the fact that it had begun the process of ratifying the Amendments to the Rome Statute of the International Criminal Court on the crime of aggression.

54. Malaysia commended Paraguay for its overall progress in the promotion and protection of human rights and encouraged it to implement the commitments it had outlined in its national report.

55. Mexico welcomed the project to combat bullying in schools and the initiatives being taken on transparency and the abolition of the death penalty.

56. Montenegro asked about progress towards better interministerial coordination and cooperation with civil society and measures to improve national legislation in line with recommendations to prevent violence against women, sexual and gender-based violence and to punish the perpetrators of such violence.

57. Morocco welcomed efforts to reduce poverty, the policy of institutional transparency in the judiciary and the designation of the national mechanism for the prevention of torture.

58. Namibia, taking note of the efforts of Paraguay to reduce poverty, enquired whether it had been able to reach its target of reducing extreme poverty to 9.4 per cent by 2015. Namibia asked Paraguay about any best practices it could share in that regard.

59. The Netherlands commended Paraguay for being an example in the field of international human rights mechanisms. It noted, however, that no specific steps seemed to have been taken to protect the safety and rights of human rights defenders.

60. Nicaragua underscored the efforts of Paraguay to care for children, the National Plan for the Prevention and Elimination of the Sexual Exploitation of Children and Adolescents, positive developments in education and access to education.

61. Norway was concerned about the high number of reports of threats, attacks, harassment and killings of human rights defenders. It commended Paraguay for establishing a national mechanism for the prevention of torture.

62. Pakistan commended Paraguay for its adoption of a number of laws and administrative reforms aiming at the promotion and protection of human rights.

63. Panama noted the strengthening by Paraguay of its normative and institutional framework to prevent torture, eradicate poverty and guarantee the rights to education and health.

64. Peru underscored the implementation by Paraguay of the Recommendations Monitoring System to monitor follow-up to the recommendations from the first review cycle and its commitment to recover citizens' historical memory.

65. The Philippines welcomed the abolition of the death penalty in Paraguay and commended its efforts to promote and protect the rights of indigenous peoples.

66. Poland noted with appreciation the changes made by Paraguay to its constitutional and legislative framework and the establishment of a universal, accessible health-care service.

67. Portugal noted with concern that no Ombudsman had been appointed in Paraguay since 2008 and that the A status accreditation of the Ombudsman's Office had been suspended.

68. The Republic of Korea welcomed the National Action Plan for the Rights of Persons with Disabilities and the National Strategy for the Prevention and Elimination of Child Labour and for the Protection of Adolescent Workers.

69. The Republic of Moldova shared the concerns of the treaty bodies about widespread pretrial detention in Paraguay, especially for children between the ages of 16 and 18.

70. Singapore welcomed the commitment of Paraguay to prioritizing poverty eradication and its policy to promote equal rights and opportunities for men and women.

71. Slovakia encouraged Paraguay to recognize the competence of the Committee on Enforced Disappearances to consider individual communications under the International Convention for the Protection of All Persons from Enforced Disappearance. While welcoming the establishment of the national mechanism for the prevention of torture, Slovakia noted that there was insufficient investigation into allegations of torture and that perpetrators of torture where not held sufficiently accountable.

72. Slovenia shared concerns about the high rate of teenage pregnancy and the high maternal mortality rate. It echoed the call that had been made by the United Nations Educational, Scientific and Cultural Organization (UNESCO) to investigate all attacks on journalists and media workers.

73. South Africa was concerned that, despite the commitments Paraguay had made to do so, it had yet to adopt an anti-discrimination law that was in line with international human rights standards.

74. Spain recognized the efforts Paraguay had made in the implementation of recommendations, as demonstrated by the recent visits of special procedure mandate holders and the creation of the Recommendations Monitoring System.

75. Sweden expressed concern about gender-based and sexual violence. It noted recent reports indicating that discrimination was widespread and that little effort was made to address human rights violations against lesbian, gay, bisexual, transgender and intersex persons.

76. Switzerland noted the constructive cooperation of Paraguay with OHCHR, special procedures and other international organizations. It remained concerned at the criminalization of abortion in the case of rape or incest.

77. Tajikistan noted the consistent approach of Paraguay to the promotion and protection of human rights and its willingness to cooperate with international mechanisms and procedures.

78. The former Yugoslav Republic of Macedonia was concerned about the safety of journalists, persistent stereotypes of the role of women in society, and domestic violence. It requested additional information on the steps Paraguay planned to take in order to adopt the anti-discrimination law.

79. Turkey took note of the commitment to complete the process of appointing an Ombudsman. It called on Paraguay to prioritize the adoption of a law to combat all forms of discrimination.

80. Ukraine acknowledged the involvement of civil society organizations in the implementation of recommendations and encouraged Paraguay to provide resources for the participation of indigenous communities.

81. While welcoming efforts by the legislature to address discrimination, the United Kingdom urged Paraguay to adopt an anti-discrimination law. The United Kingdom requested additional information on human rights training provided to police and military personnel.

82. The United States of America remained concerned by corruption in the public and judicial sectors, and the persistence of gender-based violence and violence against journalists and lesbian, gay, bisexual, transgender and intersex persons.

83. Uruguay highlighted the establishment of the national mechanism for the prevention of torture and the online platform to monitor the implementation of the recommendations. It noted progress in terms of poverty reduction and increased transparency in governance.

84. Uzbekistan welcomed progress made in the implementation of recommendations, the adoption of the National Human Rights Action Plan, the establishment of the national mechanism for the prevention of torture, the ratification of human rights instruments and cooperation with international human rights mechanisms.

85. Armenia commended Paraguay for its commitment to promoting truth, justice, reparation and guarantees of non-repetition, including through the recognition of past crimes and their condemnation. It noted progress in reducing poverty.

86. Algeria appreciated efforts to address trafficking in persons, eliminate bullying in public and private schools, combat acts of torture and forced disappearances, and reinforce the rights of indigenous peoples.

87. Angola appreciated the setting up of a system to monitor the implementation of recommendations. It encouraged Paraguay to further promote the civil and political rights of women.

88. The Dominican Republic underlined the implementation of various national action plans and urged Paraguay to continue working on the bill for the establishment of a ministry of justice and human rights.

89. Paraguay thanked the delegations for the interest they had shown, their participation in the dialogue and their support for the progress Paraguay had achieved since the previous review, as reflected in the comments and recommendations they had made.

90. In response to comments and questions raised regarding efforts to combat poverty and social investment, the Chief of Cabinet of the Technical Planning Secretariat highlighted Paraguay's commitment to ensuring equal opportunities. He provided information on programmes on land use planning and sustainable environment. The main aim of the national poverty reduction programme was to increase the income of vulnerable persons and families and improve their access to social services. The level of extreme poverty had been reduced from 8 per cent in 2006 to 2 per cent in 2013. The proportion of the population with access to safe drinking water had risen from 43 per cent in 1997 to 81 per cent in 2014.

91. The Minister for Social Action referred to previous recommendations concerning families, persons with disabilities, cash transfer programmes and consultations with and prior and informed consent of indigenous people. The Tekoporã Programme, a broad social protection programme that had obtained the ISO 9001 quality management systems standard in 2014, covered 17 departments and 80 per cent of municipalities. One specific component of the programme, which had been developed with the support of OHCHR in Paraguay, aimed to promote the involvement of indigenous people through a protocol for free, prior and informed consent.

92. The Minister of Labour, Employment and Social Security noted that the Ministry had been created in 2013 to focus on the protection of workers, work and labour. It had conducted activities that sought to ensure the right to decent work and working conditions. Responding to comments made by Colombia, he noted that Paraguay had recently promulgated the law on domestic workers, which had raised the minimum wage and sought to ensure social protection. Regarding the issue of child labour, raised by Belgium, Chile and Cuba, he noted that the Code on Children and Adolescents prohibited work for children under 14 years of age. The Ministry had made the fight against child labour a priority and was working to eradicate the worst forms of child labour in the forthcoming years. The National Commission for the Prevention and Eradication of Child Labour was also being strengthened. Paraguay had been successful in eradicating child labour in the cotton production sector and had adopted legislation on the protection of working mothers, in particular while they were breastfeeding.

93. The Minister for the Human Rights of Persons with Disabilities reported on efforts to ensure that protection of the human rights of persons with disabilities was a cross-cutting issue in all public policies and services. In 2015, the National Secretariat for the Human Rights of Persons with Disabilities (SENADIS) had been upgraded to the level of Ministry. The National Commission on the Rights of Persons with Disabilities (CONADIS), in which persons with disabilities and civil society participated fully in decision-making, had also been set up. Paraguay had developed a National Action Plan for the Rights of Persons with Disabilities, with the support of OHCHR. Paraguay was currently developing indicators to monitor implementation of the Plan and assess its impact. The Action Plan had given visibility to persons with disabilities. Through the Plan, Paraguay would also ensure inclusive education and differentiated basic provision for persons with disabilities. A handbook on accessibility for persons with disabilities was being developed for all schools. In addition, Paraguay had established a network of State communication officials to promote the use of inclusive language and a rights-based approach in their work. The progress achieved was the result of partnership between the State and civil society, with support from international cooperation.

94. The Minister for Children and Adolescents, referring to comments concerning violence against children and adolescents, noted that the national commission to prevent

and comprehensively address violence affecting children and adolescents had been established in 2013 in follow-up to the United Nations Study on Violence against Children. It was composed of State institutions and civil society organizations that worked together to prevent violence against children and to protect and care for children who were victims of violence. A bill was being drafted to protect children from all forms of cruel, inhuman and degrading treatment, including corporal punishment, and to foster good practices when it came to bringing up children. There was a toll-free 24-hour helpline available to children through which they could make complaints and receive guidance. Legislative proposals had been made to amend the criminal framework concerning cases of sexual abuse. Paraguay had legislation in place on sex tourism, which aimed to prevent all forms of trafficking in persons, whether they took place within or outside the country, and to punish the perpetrators. Awareness-raising campaigns had been rolled out targeting State officials and citizens, particularly in boarder and touristic areas. Comprehensive programmes to provide care for victims of trafficking, including shelters, had also been established. In 2015, the legal age at which children could engage in domestic work had been raised to 18 years and legislation had codified domestic child labour as dangerous. The sale of children was criminalized and discussions were currently being held in Congress to amend legislation concerning adoption.

95. The Director General of Educational Planning at the Ministry of Education and Culture reported on the increase in funding for quality education and research since 2012. A priority area for action had been early childhood education and quality support services for children from the age of 3, a new modality of informal education, particularly in rural areas. In 2014, the rate of enrolment in primary education had reached 98 per cent. The enrolment rate for children aged between 15 and 17, however, remained a challenge. Education strategies contributed to improving children's access to schools through investment in textbooks and the provision of educational tools for students. Paraguay was investing in technical training and diversifying educational and vocational training programmes and support. In addition, a national programme that was being implemented recognized the progressive autonomy of boys and girls, especially in the area of sexual and reproductive health education.

96. The head of the Human Rights Unit in the Ministry of Health and Social Welfare welcomed the recommendations concerning the right to health, particularly those from Belgium, Colombia, Kazakhstan, Mexico, the Netherlands, Turkey and the United Kingdom. Addressing inequalities required a strong and systematic response; the plans and programmes that had been prepared during recent years focused on a common vision and a strategic approach based on the national reality. Paraguay was implementing the National Sexual and Reproductive Health Plan for 2014 to 2018, which met the basic needs of the population. It took a human rights-based approach and focused on seven key areas that were part of the health-care policy, emphasizing access, quality and equitable health. Information was also provided on other areas, such as neonatal health-care plans, prevention and monitoring of sexually transmitted diseases, prevention, detection and treatment of breast cancer, prevention of domestic and gender-based violence and care for persons affected by such violence and efforts to reduce the number of early pregnancies and the prevalence of sexually transmitted diseases among young people.

97. The Adviser to the Human Rights Commission of the Chamber of Deputies reported on the process for the selection of a new Ombudsman and a Deputy Ombudsman, which would take place in 2016. The Chamber was currently reviewing two proposals that both aimed to ensure the full exercise of all rights by the population on an equal basis without discrimination, in line with the international human rights standards that Paraguay had ratified. In 2016, the Chamber would also consider draft legislation to ensure comprehensive protection of women from all forms of violence. A bill was currently being examined concerning the legal framework regulating the use of the Internet. Efforts were

currently under way to draft legislation on freedom of expression and protection of journalists. Paraguay had requested cooperation in that regard from the Special Rapporteur for Freedom of Expression of the Organization of American States.

98. In response to comments made by several delegations on the issue of an institutional framework for the promotion and protection of human rights, the Director General for Human Rights of the Ministry of Justice reported on several initiatives, such as the National Human Rights Action Plan and the drafting of a bill on the creation of the ministry of justice and human rights. The definition of torture and the definition of enforced disappearance in domestic legislation had both been brought into line with international human rights standards. A national team had been set up to search for and identify persons who had disappeared between 1954 and 1989. Since May 2013, research and investigations had been carried out into possible individual and mass graves. To date, a total of 34 remains of disappeared persons had been exhumed and a database of blood samples of family members had been created. Paraguay had been working on drafting a prison reform plan with a focus on social reintegration.

99. The Human Rights Director of the Supreme Court of Justice provided a brief update on the Marina Cue case. Paraguay had organized a symposium on corruption, and the judiciary had developed quantitative and qualitative indicators on access to justice within the framework of the implementation of the Brasilia Regulations Regarding Access to Justice for Vulnerable People. Turning to the issue of preventive detention, Paraguay reported on current initiatives for a reform of the penal system. In 2015, the Supreme Court had adopted principles on restorative justice in accordance with the Lima Declaration on Restorative Juvenile Justice. In addition, consultations were currently under way in an effort to harmonize the indigenous justice system with the ordinary justice system.

100. A representative of the National Institute of Indigenous Affairs thanked participants for the concern expressed by several delegations regarding the situation of the indigenous communities and the development of public policies for indigenous peoples in Paraguay. A bill was currently under consideration to upgrade the Institute to the level of Ministry. Efforts were also being made to address concerns about the health of indigenous peoples and to ensure that they had access to more participatory and inclusive education. Regarding land issues and in follow-up to recommendations from the previous universal periodic review, a system had been created for the registration of land titles that facilitated the identification of potential duplicity. In 2015, the National Council for Indigenous Education had been created. Information was also provided on the availability of community radios, prior consultations and the involvement of indigenous peoples in decision-making.

101. In conclusion, the head of the delegation thanked all the participating States for their interest in Paraguay.

II. Conclusions and/or recommendations**

102. **The recommendations formulated during the interactive dialogue/listed below have been examined by Paraguay and enjoy the support of Paraguay:**

102.1 **Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay); Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Djibouti) (France) (Ghana) (Montenegro) (Portugal);**

** The conclusions and recommendations have not been edited.

102.2 **Take steps to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia); Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal) (Montenegro);**

102.3 **Encourage ratification of the Convention against Discrimination in Education (Iraq); Consider the recommendation of UNESCO to ratify the Convention against Discrimination in Education (Nicaragua); Ratify the Convention against Discrimination in Education (South Africa) (Uzbekistan) (Portugal) (Ghana) (Honduras);**

102.4 **Make the declaration provided for in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination (South Africa);**

102.5 **Conclude the process of ratifying the Kampala amendments to the Rome Statute swiftly with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression in 2017 (Liechtenstein);**

102.6 **Pass legislation implementing the Rome Statute of the International Criminal Court into domestic law (Djibouti);**

102.7 **Encourage the adoption in the short term of a bill on the implementation of the Rome Statute (Guatemala);**

102.8 **Deepen its commitment with the International Criminal Court through the adaptation of its national legislation to the Rome Statute (Peru);**

102.9 **Review its criminal legislation in order to incorporate a definition of torture in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Honduras);**

102.10 **Continue working on harmonizing its national policies and laws related to children in line with the Convention on the Rights of the Child and the Protocols thereto to which it is a party (Nicaragua);**

102.11 **Promote laws on the rights of children and adolescents especially in the area of health (Egypt);**

102.12 **Implement the National System for Comprehensive Protection and Advancement of Children and Adolescents, with attention to human trafficking and sexual and reproductive health. Pass legislation to protect the rights of unregistered children and remove obstacles to child registration (Canada);**

102.13 **Improve the domestic legislation regarding working conditions, especially for women and young people (Holy See);**

102.14 **Strengthen its efforts in establishing the National Human Rights Institution, in line with the Paris Principles and with full participation of the civil society (Indonesia); Expedite staffing of the Ombudsman office and strengthen it by allocating the necessary budget (Ethiopia);**

102.15 **Take all necessary measures to ensure the full realization of the mandate of the Ombudsman's Office (France);**

102.16 **Strengthen the capacities of the Ombudsman's Office while making it accessible to the citizens (Haiti);**

102.17 **Allocate sufficient financial and human resources to national human rights institutions (Kyrgyzstan);**

102.18 Take all necessary measures in order to strengthen the role and operation of the Ombudsman's Office (Namibia);

102.19 Speed up the process to appoint a new Ombudsman (Israel);

102.20 Appoint a new Ombudsman without further delay, after the mandate of the present incumbent expired in 2008, while ensuring that the institution complies fully with the Paris Principles (Germany);

102.21 Finalize at its earliest the process of appointment of the Ombudsman and ensure that the institution fully complies with the Paris Principles (Kazakhstan);

102.22 Appoint an Ombudsman and ensure that the institution complies fully with the Paris Principles (Portugal) (South Africa);

102.23 Complete as soon as possible the necessary internal process to appoint the new Ombudsman (Spain);

102.24 Continue the selection process for a new Ombudsman, with a view to its appointment at the earliest possible, in line with the constitutional requirements and the Paris Principles (Uruguay);

102.25 Expedite a process related to the establishment of the national secretariat for indigenous peoples (Georgia);

102.26 Strengthen the National Institute for Indigenous Affairs (El Instituto Paraguayo del Indígena, INDI) at the legislative, structural and functional levels (Haiti);

102.27 Conclude the process to create the National Secretariat for Indigenous Peoples (Peru);

102.28 Redouble its efforts in formulating the National Human Rights Action Plan (Indonesia);

102.29 Continue further improvement of the protection and promotion of human rights in the country (Azerbaijan);

102.30 While recognizing the adoption of the National Human Rights Action Plan, and within the context of its implementation, implement awareness-raising campaigns and promote respect of human rights (Spain);

102.31 Implement public policies permitting gender equality in the political and economic life of the country (Chile);

102.32 Further promote the rights of women, children and indigenous peoples (Greece);

102.33 Further develop policies to ensure full enjoyment of rights and equality to lesbian, gay, bisexual, transgender and intersex persons (Israel);

102.34 Maintain efforts to implement the information system for the follow up of international human rights recommendations (Ecuador);

102.35 Engage a civil society in the follow-up implementation process of the universal periodic review recommendations (Poland);

102.36 Accord priority to passing draft anti-discrimination legislation, tabled in Congress in November 2015, and reviews existing laws to ensure consistency with the draft legislation's objectives (Australia);

102.37 **Ensure the adoption and implementation of an anti-discrimination law, cohering to international human rights standards (Greece);**

102.38 **Move towards the adoption of a comprehensive law against all forms of discrimination, including discrimination on the basis of sexual orientation and gender identity, that punishes and prohibits all forms of discrimination in public and private settings (Chile);**

102.39 **Foster the presentation of a new bill against all forms of discrimination (Cuba);**

102.40 **Adopt and implement comprehensive anti-discrimination legislation in line with international human rights standards (Slovenia);**

102.41 **Encourage the adoption and implementation of legislation to combat all forms of discrimination, in compliance with international human rights standards and in line with Paraguay's commitments (Guatemala);**

102.42 **Present to the Parliament and support the approval, as soon as possible, of a new comprehensive draft bill against racism, racial discrimination, xenophobia and all related forms of intolerance (Brazil);**

102.43 **Adopt the necessary legislative and policy measures to combat any form of discrimination, including by guaranteeing access to justice and recognizing the right to due reparation for victims (Honduras);**

102.44 **Adopt a law prohibiting all forms of discrimination against indigenous communities and guarantee access to comprehensive quality education for Guarani speakers (Islamic Republic of Iran);**

102.45 **Consider taking up an anti-discrimination bill in dialogue with State and non-State actors, which would guarantee basic safeguards of non-discrimination, prevention and punishment of all forms of discrimination against all human beings, in line with the main standards of the international human rights instruments to which Paraguay is a party (Uruguay);**

102.46 **Introduce a law explicitly prohibiting corporal punishment of children in all settings (Poland);**

102.47 **Adopt legislation clearly prohibiting all corporal punishment of children in all settings (Islamic Republic of Iran);**

102.48 **Continue to promote women empowerment (Pakistan);**

102.49 **Eliminate all forms of inequality between men and women (Egypt);**

102.50 **Continue to design and implement policies that incorporate gender perspectives into public policies and promote the empowerment and advancement of women living in rural areas (Singapore);**

102.51 **Approve a comprehensive law for the promotion of gender equality which would include, among other issues, awareness on issues such as gender violence, and the freedom of sexual orientation (Spain);**

102.52 **Adopt a law prohibiting all forms of discrimination, including discrimination based on sexual orientation and gender identity (South Africa);**

102.53 **Adopt a law against all forms of discrimination, including discrimination based on sexual orientation and gender identity (Sweden);**

102.54 **Enact legislation to prohibit discrimination, including based on sexual orientation and gender identity (Canada);**

102.55 Adopt a law to fight against discrimination, to prevent and punish discrimination in all its forms including discrimination on sexual orientation and gender identity (Argentina);

102.56 Pass legislation prohibiting discrimination, including comprehensive prohibitions against discrimination on the grounds of sexual orientation and gender identity (United Kingdom of Great Britain and Northern Ireland);

102.57 Review all type of provisions that could lead to the discrimination of lesbian, gay, bisexual, transgender and intersex persons, as well as review labour provisions which may affect domestic workers (Colombia);

102.58 Strengthen the fight against all forms of discrimination including discrimination based on sexual orientation or gender identity (France);

102.59 Ensure the issuance of birth certificates to all children born on its territory, regardless of the status of their parents (Poland);

102.60 Further improve its birth registration system and ensure the issuance of birth certificates to all children born on its territory (Turkey);

102.61 Increase efforts to ensure that all children born in Paraguay can have their birth registered (Mexico);

102.62 Ensure that all State surveillance activities are in line with international human rights law and do not infringe on citizen's fundamental rights and freedoms (Liechtenstein);

102.63 Take the necessary measures to ensure that the operations of intelligence agencies are monitored by an independent oversight mechanism to ensure transparency and accountability (Liechtenstein);

102.64 Continue working in the improvement of prison conditions (Spain);

102.65 Continue to adopt measures to improve the situation in the penitentiary system of the country in line with international standards (Uzbekistan);

102.66 Increase resources to address gender-based violence (Australia);

102.67 Prevent all forms of violence against women and girls, particularly sexual abuse and domestic violence, including by adopting a law to prevent, punish and eradicate violence against women (Austria);

102.68 Ensure that legislation to prevent and eradicate violence against women is passed (Belgium);

102.69 Ensure the adoption of a comprehensive law on violence against women (Plurinational State of Bolivia);

102.70 Pass legislation to prevent and criminalize all forms of violence against women, and provide law enforcement with training and education to ensure its effective implementation (Canada);

102.71 Implement legislation against violence and the discrimination against women in a comprehensive way and with a gender perspective (Costa Rica);

102.72 Promote the approval of the comprehensive law on violence against women (Cuba);

102.73 **Strengthen and accelerate legislative and educational actions to prevent violence against women and girls, especially domestic violence (Djibouti);**

102.74 **Take all necessary measures to promote women's rights and fight against domestic violence (France);**

102.75 **Promote legislation eradicating violence against women and against discrimination based on religious beliefs (Israel);**

102.76 **Strengthen efforts to prevent and combat all forms of violence against women, including domestic violence and sexual abuse, and effectively implement the legislation recently adopted in this field (Italy);**

102.77 **Review existing legislation and programs to prevent and eradicate violence and sexual exploitation against children and adolescents, to ensure they meet international best practices (Italy);**

102.78 **Further increase its efforts to effectively combat all forms of violence against women (Kazakhstan);**

102.79 **Strengthen the provisions for the protection of women, notably through the adoption of the draft law aiming at preventing violence against women (Morocco);**

102.80 **Take the necessary steps, including legislative measures, to prevent and eradicate violence against women (Namibia);**

102.81 **Take additional measures, including providing resources and assistance, access to courts and appropriate punishment for violations, to tackle sexual and intimate partner violence and exploitation of women and girls (Netherlands);**

102.82 **Prevent discrimination and violence against vulnerable and marginalized groups (Panama);**

102.83 **Make further efforts to prevent all forms of violence against women and girls, in particular sexual abuse and domestic violence, by adopting a comprehensive law to prevent violence against women as well as provide assistance and recovery for victims (Republic of Korea);**

102.84 **Consider adopting new specific legislation to strengthen measures aimed at prosecuting offenders and increasing support to victims of sexual violence and abuse and promote awareness raising-campaigns and educational programs, notably in schools (Italy);**

102.85 **Adopt a national action plan to combat gender-based and sexual violence, which includes raising general awareness through education and training, developing official and credible statistics and ensuring access to justice for victims (Sweden);**

102.86 **Consider adopting a law to prevent, punish and eradicate the violence against women (The former Yugoslav Republic of Macedonia);**

102.87 **Take further measures and strengthen its legislation to prevent and punish all violence against women and girls, particularly sexual abuse and domestic violence (Turkey);**

102.88 **Continue implementing specific measures to prevent all forms of violence against women, including domestic violence, ill-treatment and sexual**

abuse, ensuring that there are complaints channels, facilitating access to justice and guaranteeing the prosecution and punishment of perpetrators (Uruguay);

102.89 **Continue the work on inter-family violence and the implementation of public policies for rural women (Dominican Republic);**

102.90 **Consider specific measures for the protection of the rights of children and adolescents, notably through the objectives defined within the national strategy for the prevention and elimination of child labour (Angola);**

102.91 **Incorporate child sex tourism explicitly as a criminal offence in order to bring national legislation in conformity with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Belgium);**

102.92 **Strengthen the prevention, detection and response to cases of exploitation, sexual abuses and other forms of violence against children (Panama);**

102.93 **Move towards the adoption of a law that prohibits the work of children below the age of 14, as well as the worst forms of child labour and domestic child labour (Chile);**

102.94 **Continue conducting actions with a view to eradicating child labour in the country (Cuba);**

102.95 **Raise the minimum age for domestic work to 18 years of age, and strongly reconsider increasing the minimum wage in this sector (Haiti);**

102.96 **Eradicate the practice of *criadazgo* and other forms of child labor (Panama);**

102.97 **Adopt a comprehensive care policy to protect children living on the streets (Mexico);**

102.98 **Pursue measures for the protection of children, in particular children living in the streets and domestic worker children (Algeria);**

102.99 **Adopt the National Plan to Prevent, Combat and Care for the victims of trafficking (Greece);**

102.100 **Continue its efforts to combat trafficking in human beings (Tajikistan);**

102.101 **Put an end to trafficking in persons, particularly for purposes of sexual exploitation or child labour (Islamic Republic of Iran);**

102.102 **Effectively combat human trafficking, in particular sexual exploitation and forced labour (Malaysia);**

102.103 **Provide assistance, reintegration programs and skills training for victims of human trafficking to allow their reintegration into society (Malaysia);**

102.104 **Provide adequate human resources and budget to implement its national anti-trafficking in persons policies and programs (Philippines);**

102.105 **Continue working towards the modernization of justice so as to guarantee its independence and impartiality, in particular with regard to vulnerable groups, such as indigenous people and persons with disabilities (Spain);**

102.106 **Enhance public accountability for the judiciary by limiting political interference, increasing transparency in judicial processes, and ensuring all judicial staff hiring is merit-based (United States of America);**

102.107 **Facilitate access to the Judiciary, especially for indigenous persons ensuring that they are represented in public affairs (Egypt);**

102.108 **Develop initiatives aimed at ensuring access to the judiciary by indigenous persons (Mexico);**

102.109 **Adopt the necessary measures to increase the judicial control over the duration of pre-trial detention (Slovakia);**

102.110 **Investigate allegations of torture and ill-treatment against persons in places of detention and bring those responsible to justice (Uzbekistan);**

102.111 **Establish an effective investigation mechanism concerning allegations of torture and ill-treatment that would ensure the conviction of perpetrators (Turkey);**

102.112 **In the context of detention, strengthen existing police oversight mechanisms and provide victims of torture and ill-treatment with compensation (Germany);**

102.113 **Double efforts in combatting corruption through improving the capacity of the National Secretariat to Combat Corruption (Malaysia);**

102.114 **Step up efforts to eliminate corruption by police officers and prosecutors, and to adopt specific legal provisions establishing a judicial procedure for ensuring investigation of the cases related to enforced disappearance and arbitrary detention, as well as to punish perpetrators and provide assistance and recovery for victims (Republic of Korea);**

102.115 **Combat impunity, prosecute perpetrators and ensure victims' access to effective remedies in case of journalists, human rights defenders and lawyers who become victims of human rights violations and abuses (Austria);**

102.116 **Combat impunity of all attacks against human rights defenders, including by investigating the murders of 17 journalists since 1991. Establish a special commission in the Public Prosecutor's Office to bring those responsible to justice (Canada);**

102.117 **Combat impunity by ensuring prompt, thorough and transparent investigation of all violations against, and killing of Human Rights Defenders, the prosecution of perpetrators and access to effective remedies for victims (Norway);**

102.118 **Investigate and prosecute allegations of abusive practices by security and law enforcement forces targeted at indigenous people (Australia);**

102.119 **Take effective measures to thoroughly investigate all allegations of ill-treatment of detainees, of abuse of force by police and military forces and of attacks against journalists and human rights defenders, so to ensure that all those responsible are brought to justice (Italy);**

102.120 **Ensure implementation of impartial and independent investigations and criminal proceedings in accordance with existing law, including for cases as the Marina Cué events in Curuguaty of June 2012 in order to clarify allegations and bring perpetrators to justice (Germany);**

102.121 **Strengthen its specialized Juvenile Justice system, to promote alternative measures to deprivation of liberty, and continue improving the social services available to adolescents deprived of their liberty (Republic of Moldova);**

102.122 **Continue efforts for the promotion of truth, justice and reparation and guaranties of non-repetition related to crimes of the past (Armenia);**

102.123 **Abolish discrimination based on religion or beliefs (Lebanon);**

102.124 **Enhance laws that encourage freedom of expression (Lebanon);**

102.125 **Further protect the freedom of expression and prosecute crimes against journalists as a matter of priority (Greece);**

102.126 **Create a mechanism to give visibility and value the work of human rights defenders and, develop and implement measures to protect human rights defenders should they be exposed to any risk or threat associated with the free exercise of their activities (Brazil);**

102.127 **Adopt appropriate measures to disseminate widely and ensure full observance of the Declaration on Human Rights Defenders (Norway);**

102.128 **Adopt legal and policy measures for the protection of human rights defenders (Honduras);**

102.129 **Acknowledge the legitimate role of human rights defenders and create and maintain a safe and enabling environment for human rights defenders and journalists to carry out their legitimate work without threat of violence or reprisals (Norway);**

102.130 **Ensure the protection of human rights defenders in accordance with the United Nations Declaration on Human Rights Defenders (Sweden);**

102.131 **Implement measures to protect journalists and human rights defenders, as well as effective policies to guarantee freedom of expression in Paraguay (Costa Rica);**

102.132 **Take steps to reduce the harassment, intimidation and death threats against defenders of human rights, and to publicly recognize the legitimacy and importance of the role of these defenders (Netherlands);**

102.133 **Adopt measures to guarantee the right to life, safety of human rights defenders and journalists, including for those defending indigenous communities from land grabbing (Norway);**

102.134 **Take the necessary measures to guarantee the human rights of human rights defenders and to promote and protect the space of the civil society (Switzerland);**

102.135 **Establish greater protections for journalists under threat and ensure prompt investigations of threats, harassment, and crimes against journalists (United States of America);**

102.136 **Continue its efforts to facilitate a greater participation and representation of women and indigenous people in public offices (Israel);**

102.137 **Further promote gender equality and involvement of women in politics and public services (Lao People's Democratic Republic);**

102.138 **Give special attention to families as the foundation of the well-being of the country (Egypt);**

102.139 Increase investment in social welfare programs (Haiti);

102.140 Take further steps to strengthen its social protection programs, in favour of the most vulnerable sectors of the population (Bolivarian Republic of Venezuela);

102.141 Support the implementation of domestic measures to ensure the protection of socially vulnerable groups of the population, including children (Tajikistan);

102.142 Continue strengthening all human rights, particularly in the areas of eradicating poverty, promoting and protecting the rights of children and adolescents, and fighting against human trafficking (Kuwait);

102.143 Persevere in including the needs of vulnerable groups in efforts to reduce poverty, particularly of persons with disabilities (Colombia);

102.144 Elaborate and implement an effective strategy to fight child poverty (Kyrgyzstan);

102.145 Continue efforts to combat poverty and provide assistance to families with limited income (Libya);

102.146 Pursue measures to eradicate poverty through the implementation of comprehensive public policies with a human rights-based approach (Ecuador);

102.147 Continue efforts towards improving literacy and reducing poverty through education and skills enhancement programs under the National Development Plan to 2030 (Malaysia);

102.148 Continue to implement National Health Policy 2015 (Pakistan);

102.149 Make every possible effort to guarantee universal access to healthcare through the National Health Policy (Holy See);

102.150 Continue the work on policies for the universal access to health, including the Health System for Indigenous Peoples (Dominican Republic);

102.151 Take effective measures to reduce the high maternal mortality rate (Kazakhstan);

102.152 Reduce the high rate of maternal mortality (Panama);

102.153 Deepen measures which are considered as necessary to reduce maternal mortality rates and to prevent teenage pregnancy (Colombia);

102.154 Ensure adequate access to information on sexual and reproductive rights for women and girls (Belgium);

102.155 Continue the promotion of sexual and reproductive rights of women and eliminate discriminatory practices, in conformity with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (Mexico);

102.156 Address deficiencies of the legal and policy system regarding the issue of pregnant children for better protecting young girls, as some of them had been forced to continue high-risk pregnancies with long-lasting impact on their physical and mental health (Germany);

102.157 Undertake measures to prevent high incidences of early pregnancy, including comprehensive sexuality education in schools and access to services in

support of sexual health and reproductive rights (United Kingdom of Great Britain and Northern Ireland);

102.158 **Consider introducing civic and human rights education in primary and secondary school curricula (Ethiopia);**

102.159 **Continue efforts aimed at ensuring the availability and accessibility of the education system to all children and improvement of school's infrastructure (Georgia);**

102.160 **Continue its efforts to improve the quality of the education system and to expand access to education for all children and adolescents, in particular for those belonging to indigenous peoples (Holy See);**

102.161 **Take additional measures for the full enjoyment of the right to education by children (Kyrgyzstan);**

102.162 **Ensure that vulnerable children and adolescents in rural communities have access to quality education and health care services (Lao People's Democratic Republic);**

102.163 **Further develop measures to ensure that an inclusive education system be available and accessible to all children, including those with disabilities and improve the quality and infrastructure of schools (Republic of Korea);**

102.164 **Strengthen measures with a view to guaranteeing full access to education for persons with disabilities (Argentina);**

102.165 **Strengthen access to the national education system for all children and adolescents with disabilities, ensuring an inclusive education (Chile);**

102.166 **Reinforce the schooling of persons with disabilities (Algeria);**

102.167 **Create an independent mechanism to protect persons with disabilities (Egypt);**

102.168 **Encourage the efforts taken for the creation of an independent mechanism for the monitoring of the application of the Convention on the Rights of Persons with Disabilities (Morocco);**

102.169 **Establish an independent mechanism for the monitoring of the situation of persons with disabilities (Turkey);**

102.170 **Review the provisions restricting the voting rights of persons with disabilities (India);**

102.171 **Continue working for the promotion and protection of the rights of indigenous peoples, peasants and other persons working in rural areas (Plurinational State of Bolivia);**

102.172 **Formulate a comprehensive policy protecting the rights of indigenous peoples (India);**

102.173 **Encourage enacting legislation that protects and promotes the rights of the indigenous peoples (Iraq);**

102.174 **Continue to take effective measures for the protection of indigenous peoples' rights (Armenia);**

102.175 **Pass legislation that recognizes the rights of indigenous communities to express their opinion and to consultations (Lebanon);**

102.176 **Step up efforts in formulating protocols to implement the indigenous peoples' right to free, prior and informed consent (Philippines);**

102.177 **Put in place a legal mechanism that enables indigenous communities from protecting and claiming their lands (Lebanon);**

102.178 **Address extant indigenous land claims, and ensure an end to discrimination against rural and indigenous communities (Australia);**

102.179 **Implement the rulings of the Inter-American Court of Human Rights regarding indigenous land claims by the Yakye Axa and Sawhoyamaxa Indigenous communities promptly and effectively (Canada);**

102.180 **Take measures to enforce the Inter-American Court sentences on the rights of indigenous peoples (Costa Rica);**

102.181 **Develop a comprehensive and forgery-proof land registry to enable indigenous communities to hold legal titles to their ancestral land, as previously recommended (Germany);**

102.182 **Protect the rights of the indigenous communities in terms of exploiting and using their lands (Lebanon);**

102.183 **Implement legislation that codifies the protection guaranteed in the 1954 Convention relating to the Status of Stateless Persons in national legislation (Portugal);**

102.184 **Implement a statelessness status determination procedure to ensure the protection of stateless persons who are not refugees (Portugal);**

102.185 **Continue to take steps to ensure the full and effective implementation of its National Development Plan to 2030 to combat poverty, particularly in rural areas (Singapore);**

102.186 **Ensure the implementation of environmental standards to protect the environment (Egypt).**

103. **Paraguay considers that the recommendations 102.2, 102.5-102.9, 102.11, 102.12, 102.14-102.18, 102.20-102.27, 102.30-102.33, 102.35-102.47, 102.49, 102.51-102.61, 102.66-102.75, 102.77-102.87, 102.90-102.93, 102.95-102.101, 102.103, 102.104, 102.1106-102.111, 102.113-102.115, 102.118-102.121, 102.123-102.125, 102.129, 102.131, 102.133, 102.135, 102.137-102.141, 102.143, 102.144, 102.146, 102.149, 102.151-102.153, 102.155-102.158, 102.161-102.164, 102.166-102.170, 102.172, 102.173, 102.175, 102.176, 102.178-102.184 and 102.186 above are already implemented or in the process of implementation.**

104. **The following recommendation will be examined by Paraguay, which will provide a response in due time, but no later than the thirty-second session of the Human Rights Council, in June 2016:**

104.1 **Convene an independent commission to investigate all credible allegations of human rights violations related to the 2012 law enforcement action at Marina Cue (United States of America).**

105. **The recommendations below did not enjoy the support of Paraguay and would thus be noted:**

105.1 **Ratify the Optional Protocol to the Convention on the Rights of the Child (Ghana);**

105.2 **Consider withdrawing its reservation to articles 76 and 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);**

105.3 **Reform its punitive anti-abortion laws (Australia);**

105.4 **Repeal legislation criminalizing women and girls for having an abortion, as well as healthcare providers performing such services, and take measures to allow legal and safe abortions at least in cases of rape or incest, in cases where the life or health of the mother is at risk, or where the foetus is diagnosed with grave health deficiencies (Austria);**

105.5 **Repeal legislation criminalizing abortion and ensure access to legal and safe abortion for victims of rape and incest, in cases where the life or health of a woman is at risk or when the foetus is not viable (Slovenia);**

105.6 **Establish and effectively apply the legal provisions authorizing abortion, in cases when pregnancies are due to rape or incest, or when it is established that the foetus is not viable, or when the life or the health of the mothers is at risk (Switzerland).**

106. **Concerning recommendation 105.1 put forward by Ghana, Paraguay informs that it is a State party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. It has also signed the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.**

107. **Concerning recommendation 105.2 put forward by the Philippines, Paraguay informs that it has not made any reservations to articles 76 and 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.**

108. **Concerning recommendations 105.3, 105.4, 105.5 and 105.6 put forward by Australia, Austria, Slovenia and Switzerland, Paraguay considers that these are not in accordance with the National Constitution (art. 4), the commitments made by Paraguay when ratifying the American Convention on Human Rights (art. 4) and the national legislation.**

109. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Paraguay was headed by H.E. Ambassador Óscar Cabello Sarubbi, Deputy Minister of Foreign Affairs, and composed of the following members:

- S.E. Guillermo Sosa, Ministro de Trabajo, Empleo y Seguridad Social
- S.E. Héctor Cárdenas, Ministro Secretario Ejecutivo – Secretaría de Acción Social
- S.E. Rocío Florentín, Ministra Secretaria Ejecutiva – Secretaría Nacional por los Derechos Humanos de las Personas con Discapacidad
- S.E. Carlos Zárate, Ministro Secretario Ejecutivo – Secretaría Nacional de la Niñez y la Adolescencia
- S.E Embajador Juan Esteban Aguirre, Representante Permanente del Paraguay ante las Naciones Unidas y Organismos Especializados
- Ministro Juan Miguel González Bibolini, Director General de Derechos Humanos del Ministerio de Relaciones Exteriores
- Embajador Carlos Fleitas, Jefe de Gabinete de la Secretaría Técnica de Planificación
- Sr. Ricardo González, Director General de Gabinete de la Secretaría Nacional de la Niñez y la Adolescencia
- Sra. María José Méndez, Directora General de Derechos Humanos del Ministerio de Justicia
- Sra. Dalila Zarza, Directora General de Planificación del Ministerio de Educación y Culto
- Sr. Víctor Thomas, Director General de Asesoría Jurídica del Ministerio de Trabajo, Empleo y Seguridad Social
- Sra. Nury Montiel, Directora de Derechos Humanos de la Corte Suprema de Justicia
- Sra. Tania Abdo, Asesora de la Comisión de la Cámara de Diputados
- Sra. Belén Morra Alvarenga, Jefa del Departamento de Informes a Órganos de Tratados y Asuntos Políticos del Ministerio de Relaciones Exteriores
- Sr. Andrés Ramírez, Jefe de Departamento de Derechos Humanos de la Corte Suprema de Justicia
- Sra. [illegible]ura Bordón, Jefa de la Unidad de Derechos Humanos del Ministerio de Salud y Bie[illegible]estar Social
- Sra. Verónica López, Jefa del Departamento de Normas Internacionales del Ministerio de Trabajo, Empleo y Seguridad Social
- Sra. Carmen Orlandini, Técnica del Instituto Paraguayo del Indígena
- Sr. Jorge Brizuela, Misión Permanente del Paraguay ante las Naciones Unidas y Organismos Especializados
- Sr. Miguel Candia, Misión Permanente del Paraguay ante las Naciones Unidas y Organismos Especializados

- Oficial Raquel Pereira, Misión Permanente del Paraguay ante las Naciones Unidas y Organismos Especializados
- Sr. Juan Alberto Guzmán, Técnico de la Unidad General de Derechos Humanos del Ministerio de Relaciones Exteriores
- Srta. Ximena Abente, Misión Permanente del Paraguay ante las Naciones Unidas y Organismos Especializados.